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A HISTORY OF ENGLAND

From the Defeat of the Armada to the Death of Elizabeth

VOLUME I

A History of England

From the Defeat of the Armada to the Death of Elizabeth

With an Account of English Institutions During the Later Sixteenth and Early Seventeenth Centuries

BY

EDWARD P. CHEYNEY

PROFESSOR OF EUROPEAN HISTORY IN
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IN TWO VOLUMES

VOLUME I

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THE·PLIMPTON·PRESS
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TO THE STUDENTS PAST AND
PRESENT IN MY SATURDAY
SEMINAR IN ENGLISH HISTORY

PREFACE

THE task of this book is twofold, first to give a narrative of the events of English history during the last fifteen years of the reign of Elizabeth, secondly, to give a description of the form of government and society in England at the same time. Of the first of these objects little need be said here, except that it is a period that has been somewhat slighted by historians. To many the dramatic close of the Tudor period came with the execution of Mary Stuart and the defeat of the Spanish Armada, and the varied events of the fifteen busy years still remaining in that period have therefore received scant attention.

The second object, that of describing the institutions of the time, is an effort to give a clearer impression of central and local government, industry, the church and its opponents, intellectual life and social customs at the culmination of a period of especial interest; a period which has the additional claim to attention that it was the eve of the settlement of America, and that many of these institutions were about to become the basis of a new form of society beyond the sea. Customs change more slowly than men, and it has therefore been considered defensible to seek for illustrations of these institutions during a period extending somewhat before and after the fifteen years of which the narrative is given. The chapters describing institutions have been introduced among those devoted more particularly to narrative in the order that has seemed most clear.

A word may be said concerning the use of footnotes. The large number of individual statements that have been necessary in so detailed an account has required many references,

and, so far as intention goes, no statement except of matters of entire familiarity has been made without reference to contemporary authority. But it has not been thought necessary to deface the pages of the book with a separate reference in each case; they have instead been grouped at the end of each distinct subject. The first reference to any work in each chapter has given its full title; later references have given the title in an abbreviated form. As far as possible volume references have been given in Roman numerals; the small figures that follow refer to pages, folios or numbered documents according to the regular form adopted in that particular work or series.

In no case has any matter other than a reference been given in a footnote, so that no reader of these pages need be diverted from the text to search for additional matter of information or explanation at the foot of the page. The references are for verification only, with an accompanying hope that they may serve as a starting place for further investigations. A general bibliography will appear in the second volume.

EDWARD P. CHEYNEY

UNIVERSITY OF PENNSYLVANIA

January 17, 1913

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Part I
Royal Administration

A History of England from the Defeat of the Armada to the Death of Elizabeth

CHAPTER I

QUEEN ELIZABETH IN 1588

ON Sunday, November 24, 1588, just before noon, Queen Elizabeth proceeded from Somerset House to St. Paul's cathedral to celebrate the last and most solemn of a series of thanksgiving services for the great victory over the Spanish Armada which had been gained three months before. She rode, like a triumphing Roman emperor, in a chariot drawn by two white horses, accompanied by a train of officials, nobles, guests, guardsmen, ladies and attendants, all dressed in their appropriate robes, and marshalled in strict order of precedence and in conformity with traditional ceremony by the king-at-arms. Harbingers, gentlemen ushers and heralds walked in front; clerks, chaplains, judges, the law officers of the crown, the court physicians, nobles, bishops, the higher officials and ministers of the realm, the French ambassador, the chamberlain and the marshal followed in order; a long column of sergeants at arms, gentlemen pensioners and footmen with their halberds completed the vanguard. Then came the queen in her chariot, covered with a canopy surmounted by an imperial crown, her train borne by the marchioness of Winchester, the highest noblewoman of the realm, her palfrey led after her chariot by the earl of Essex, master of

the horse. A group of ladies of honor followed and the procession was closed by the yeomen of the guard. In this long train, numbering more than four hundred persons, were Burghley and Walsingham, Howard and Hunsdon, Pembroke and Hatton, Whitgift and Egerton, Sir Walter Ralegh and the earl of Essex, ladies, nobles, men of the law and of the sword, all the brilliance and gallantry, the dignity and ability of Elizabeth's court. Passing along the Strand to Temple Bar, where the city musicians were playing over the gateway, the queen and her train entered the old city, welcomed by the lord mayor and aldermen in their scarlet robes, and rode the length of Fleet Street and up Ludgate Hill between a continuous line of the city companies all dressed in blue liveries and cheering her from their seats and railings, all likewise hung with blue. The intervening spaces were filled with the crowding and applauding populace of London.

At the west door of St. Paul's the queen dismounted and was received by the bishop of London, the dean of the cathedral and some fifty other clergymen, dressed in their robes. She knelt for a moment in private prayer; then followed by the train of clergy chanting the litany walked through the long aisle under eleven banners captured from the Spanish ships in the recent fight, crossed the transept and took her seat in an offset from the north wall of the choir, opposite Paul's cross. From the cross Dr. Pierce, bishop of Salisbury, preached a thanksgiving sermon. Then the queen herself spoke a few words to the people and returned through the church as she had come, dined at the bishop's palace, and in the evening rode back again through the streets to Somerset House, her attendants carrying torchlights.[1]

A scene in which Elizabeth appears surrounded by her courtiers and ministers, representatives of the nobility, gentry and populace of England and the ambassador of her principal ally, taking place in the religious centre of the capital city,

[1] *State Papers, Dom., Elizabeth*, ccxviii, 38; Stow (ed. 1631), 751; Speed, ii, 862–3; Camden (ed. 1706), 549; Nichols, *Progresses of Queen Elizabeth* (ed. 1823), ii, 538–42.

and devoted to national thanksgiving for a victory over the national enemy, may well serve to usher in a narrative of the events of the remaining fifteen years of her reign. It was a period full of incident. Its events were remarkable in their own time and momentous for the future of England and of the countries which were to spring from England. It was a time of almost constant warfare. The Armada of 1588 was but the first of a series of fleets launched by Spain against England. The queen in turn followed the fleet which drove off the great Armada with numerous successive naval expeditions directed against the coasts, the islands or the ships of the Spanish king, besides the fleet kept almost constantly in the Channel and numerous privateering vessels sailing with her commission. Land warfare was also in progress in France, the Netherlands, Portugal and Spain, and the later years of the queen's reign saw a long, difficult and doubtful contest in Ireland. It was a time of complicated diplomatic relations. The equivocal attitude of England toward the new dynasty in France and the new nation in the Netherlands was a difficult one to preserve. Long series of negotiations with Denmark, the Hanse towns, the emperor, the king of Poland, the czar of Russia and the sultan of Turkey barely succeeded in disarming their hostility, securing a somewhat grudging political alliance and winning for English merchants some coveted markets.

English merchants were not satisfied, however, with the commerce of the adjacent countries of the continent. During this last part of the century they were constantly pushing further into the more distant parts of the world that the explorations of the period just preceding had made partially familiar to them. This was the time when companies of merchants chartered by the government for distant commerce organized their boldest adventures and attained their most characteristic organization. Closely accompanying their activity was a series of projects for settlement in America, which, though unsuccessful, laid the foundations for what was soon to become the great colonizing movement.

These were the external interests of England. Internally, parliament was awakening from its long Tudor sleep of submission, and before its last meeting in Elizabeth's reign forced the queen to listen to some, at least, of its demands, and to recognize through it her waning popularity with her people.[1] The national church remained unchanged in form, but its continued existence was not preserved without a struggle. Its most earnest apologist anticipated its disappearance as an established body.[2] The Roman Catholics and the Puritans alike increased in activity, notwithstanding their persecutions, and it was only the strong hand of the queen, helped by the awakening of a more earnest spirit in the church itself, that postponed for a while the day of its downfall and strengthened it for a later restoration.

Among the people, both in town and country, important social changes were in progress. Agricultural enclosures were still silently transforming the conditions of rural life. The older handicrafts and manufactures were dying out in certain towns and sections of the country and springing up in others, and foreign immigrants were teaching the English new industries. There was much resultant shifting of population between the country and the city and between one neighborhood and another. The abilities and efforts of all those sharing in the work of government were taxed to the utmost to reach that relatively satisfactory solution of the problem of pauperism which was one of the most permanent achievements of this period. Intellectual life was active and learning solid and widely spread, at least among the upper classes. Controversies were bitter and those of the continent frequently found an echo in England. All this many-sided life was reflected in the Elizabethan literature, which reached its fullest bloom in these last two decades of the sixteenth and the early years of the seventeenth century. The period from 1588 to 1603 was therefore no eddy in the stream of English history. It was rather a time when the current ran full and

[1] D'Ewes' *Journals* (ed. 1682), 602; *State Papers, Dom., Elizabeth*, cclxxvi, 97.

[2] Hooker, *Of the Laws of Ecclesiastical Polity*, Preface, 1, Book v, lxxix, 16.

strong, a time of intense life and activity, of the fuller development of conditions which came down from the past and of the beginning of movements which were to characterize the future.

The strongest personal influence upon the course of events was undoubtedly that which was exercised by the queen. In November, 1588, Elizabeth was in the fifty-fifth year of her age and had been reigning just thirty years. She had still the erect and spare figure that made so many observers think of her as a tall woman, though she was but of medium height. She was evidently in the prime of life. Her activity and endurance were great and her health almost constantly good. She was always impatient of her ailments, such as they were. Secretary Cecil writing to Essex that the queen was unable to sign a letter says "The queen hath now a desperate ach in her right thomb, but will not be knowen of it; nor the goute it cannot be, nor dare not be, but to signe will not be indured." Again we hear of her with an inflammation of the chest, and "her mind altogether averse from physic." [1] Representations of her during this the later period of her life show the familiar smooth, somewhat retreating forehead, arched brows, narrow face, long profile of nose and chin, light eyes and hair, that appear in paintings, engravings, coins and on her tomb. Contemporary writers describe her more vividly. Her sharp eyes and features, loud voice, vivacious manner and constant activity are repeatedly mentioned. She was her father's own daughter and played the queen well. It was not only her native flatterers speaking in her presence, but foreign visitors in their private correspondence who described her royal manner. One speaks of her "terrible eyes," another of her "stately air," a third of her "majestic deportment"; a foreign ambassador is daunted by her anger and leaves her presence in confusion; a courtier records that "When she smiled it was a pure sunshine that everyone did chuse to baske in if they could; but anon came

[1] *State Papers, Dom., Elizabeth*, cclxiv, 77; Camden to Sir Robert Cotton, Strype, *Annals* (ed. 1824), iv, 331; *Cal. State Papers, Dom.*, 1581–90, 209.

a storm from a sudden gathering of clouds, and the thunder fell in wondrous manner on all alike." [1]

Her usual manner, however, was pleasant and affable, sometimes even insinuating. Many of her courtiers she called by their first names, several by fanciful nicknames she had fastened upon them. Foreigners she often flattered by speaking to them in terms of intimacy and confidence. She was often merry, not infrequently uproarious, easily pleased by the coarser forms of humour. "Her Highnesse loveth merrie tales," is the testimony of a courtier. One gets a glimpse of her in the midst of the Armada campaign, laughing to excess at the clown Tarlton playing the god Luz, armed with a flitch of bacon for a shield and a long staff for a spear, pretending to fight with her little pet dog Perrico de Faldas and appealing to her to "call off her mastiff." She expressed her humorous feelings with disconcerting frankness. Sir John Harington, her godson and long time courtier, records in his memoranda, "The queene loveth to see me in my last frize jerkin — she spit on Sir Matthew's fringed clothe, and said, 'the foole's wit has gone to ragges.' Heaven spare me from suche jibing." He quotes another and a still more characteristic jest of the queen on the subject of clothes and the duties of clergymen. "One Sunday, April last, my Lorde of London preached to the Queen's Majestie, and seemed to touche on the vanitie of deckinge the bodie too finely. Her Majesty tolde the Ladies, that if the Bishop helde more discorse on suche matters, she wolde fitte him for heaven, but he shoulde walke thither withoute a staffe, and leave his mantle behind him. Perchance the bishope hathe never soughte her Highnesse wardrobe, or he would have chosen another texte." [2]

It is hard to judge of Elizabeth's religion. She was certainly not devout. She seldom talked or apparently thought of religious matters, paid scant respect to clergymen, and

[1] *Cal. State Papers, Dom.*, 1598–1601, 394, 398; Harington, *Nugae Antiquae* (ed. 1792), ii, 140, 141.

[2] *State Papers, Dom., Elizabeth*, ccxv, 89; Harington, ii, 211, 215.

took no interest in the church controversies of the time, except when they became matters of state. On the other hand, she was regular in all formal religious observances, her state papers are full of expressions of recognition of her position as a Christian ruler, and she shared in the practice of pious appeal and ascription usual at the time. She even composed certain eloquent prayers for public uses. But her devotion was quite impersonal. In her times of depression she sought her consolation rather in the classics than in the Bible. Harington remarks, "Her Highnesse was wont to soothe hir ruffled temper with reading everye mornynge. . . . She did much admire Seneca's wholesome advisinges, when the soul's quiet was flown awaie." When her ally Henry IV changed his religion she found refuge and comfort in translating the *De Consolatione Philosophiae*. A contemporary, though hostile, writer expresses what is probably a correct judgment of her belief, when he says, "She considers it of the first importance that she should live peacefully and pleasantly and pass her days in well-being. She is not greatly influenced by either hatred or love of any particular religion or sect." [1]

Elizabeth had few generous impulses. No one of the great men of her time, in literature, learning, civil, military or naval life was fully recognized or adequately rewarded by her. She was occasionally liberal to her favorites, but never lavish, except for her own personal adornment or gratification. While her mariners and soldiers starved, her unpaid servants suffered and patriots found themselves neglected or disowned, her signature was being affixed to warrants for £1,700 for a pearl chain for herself, or £1,200 "for a great diamond with a pendant," or "£761, 4s, 4d for fine linen for her Majesty's own person." [2] It is to be remembered that all sums of money named during this period must be multiplied by a factor which can perhaps be fairly chosen as five or six, to transform them into modern values, and such sums as

[1] Harington, ii, 135; *Andreae Philopatris, Responsio ad edictum Elizabethae Reginae Angliae* (1591), Sect. 1.

[2] *Cal. State Papers, Dom., Elizabeth*, 1591–4, 568, 1598–1601, 255.

those just given, as will later appear, are not unusual in connection with her personal expenditures. But in matters not involving money or serious sacrifice on her part, she often spoke or wrote kindly and thoughtfully, as in a letter of condolence to Lord and Lady Norris on the "bitter accident" of the death of their two sons in Ireland; or that to the earl of Pembroke addressed to "My very good old man." Occasionally we get a still more attractive glimpse of her, as for instance yielding to the persuasions of her maid of honor Bridget Carew, or pinning up the dress of the little Lady Talbot, kissing her and taking her with her in the state barge. In a very real sense also she was conscientious. As the lord keeper testified of her "Shee wyll have her wyndinge sheete unspotted." [1]

Elizabeth's intellectual powers were moderate. She had been thoroughly educated in her youth and retained the habit of reading through her whole life. Translations from Horace, Plutarch, Boethius and Xenophon still remain in her own handwriting to testify to her interest in the classics. Although she sometimes displays in these translations a royal disregard of rhythm and even of accuracy, they give no mean impression of her ability in the use of both her own and the classical languages, a power of which we have abundant other proof. Besides those that remain, we know she made translations of many letters of Cicero and Seneca and the whole of Sallust's Jugurthine War and some parts of Euripides, and most of this was done in the later years of her life. Some of her speeches, letters and prayers were vigorous and picturesque, and like most other educated people of her time she wrote some poetry. On the other hand nothing exists to show that she had any real appreciation of the higher learning, thought or poetry of her own time.[2]

[1] *State Papers, Dom., Elizabeth*, ccviii, 12, ccxxix, 116, cclxxii, 106; Brakenbury to Lord Talbot, Nov. 20, 1590, Lodge, *Illustrations of English History* (ed. 1838), ii, 418; Hawarde, *Les Reportes del Cases in Camera Stellata*, 122.

[2] *State Papers, Dom., Elizabeth*, cclxxxix; Miss Caroline Pemberton, *Queen Elizabeth's Englishings*, Early English Text Society, vi–xi, 1–149; Harington, *Nugae Antiquae* (ed. 1792), i, 109, 115, 140, ii, 135; Camden, *Annals* (ed. 1706), 612; *Lansdowne MSS.* cxv, 108.

She showed little originality or power of initiative in statesmanship. All the bold or constructive ideas of her reign came from her ministers or from entirely outside the government. Moreover, patriotic as she was, she was slow to respond to such ideas. Unimaginative and opinionated, she never understood the great questions, realized the great crises, or perceived the great possibilities of her position.

She was a hard mistress to serve. Irresolute and yet obstinate, she frequently refused to act or decide, procrastinated, delayed, hesitated, while her ministers watched disaster approach or opportunity vanish. Even her most influential advisers found it impossible to overcome this inveterate trait of indecision. Their correspondence shows them driven almost to despair in times of exigency at the queen's vacillation and unreasonableness. An endorsement by a clerk on a letter of 1600 still exists in faded handwriting to testify to this habit. "A letter which Her Majesty willed me to write to her Secretary, and to send it by post, but before I had fully ended the letter she sent to me to bring it to her before it was closed, which I did upon the point of six o'clock, and then Her Majesty having read and scanned it three or four times and sometimes willing me to send it away, and sometimes altering that purpose, commanded me at last to stay both the letter and the post." [1]

Those ministers who had served her longest naturally conformed themselves most successfully to the requirements of her character. Burghley writes in 1591 to the French ambassador, who had retired from the court in vexation at the queen's behavior, reminding him that they were both servants of an almighty king in heaven and of great princes upon earth, that both of these must be obeyed, and that they could only wait in patience till the heavenly ruler should change the mind of the earthly one. Or again, he writes to Walsingham, "I am very sorry that our counsells . . . doth not lyke her — but *fiat voluntas sua*." Burghley was inclined to charge her irresolution to her sex. He writes: "Many times she yeldeth

[1] *State Papers, Dom., Elisabeth*, cclxxiv, 40.

as overcome with argyment, but yet that which is naturall to hir sex hyndreth resolution. I hope tyme will gayn that which is necessary. *Corda reginarum in manu dei.*" Occasionally even these devoted servants lost patience at being held responsible for her vacillation and its results, as in a letter of Burghley to Walsingham, November, 1588, "All irresolutions and lucks ar thrown upon us two in all her speeches to everybody. The wrong is intolerable."[1] Sometimes she tricked her ministers. One of her courtiers states that "Her wisest men and beste counsellors were oft sore troublede to knowe hir wylle in matters of State. So covertly did she pass her judgment as seemed to leave all to their discreete management, and when the busynesse did turn to better advantage, she did moste conningly commit the good issue to hir own honor and understandinge; but when ought fell oute contrarie to her wyle and intent, the Council were in greate straite to defend their owne actinge and not blemyshe the Queen's good judgment." Another official records an additional weakness. "Amongst her manifold and rare virtues of nature and arte this was the onlie detraction, that she had not power to geve wher it was merited, . . . If she had disposed of twenty or thirty thousand pounds to the comfort of her long worne thredbare pore old servants, and paid her debts, she had died, as she did, the mirror of her sex."[2]

Her experience was less varied than might at first thought be supposed. Except for her brother and sister, she was the first English monarch in the long line since the Norman Conquest who had not crossed the Channel. She never saw Scotland, Ireland, or Wales, and during her seventy years of life was never more than one hundred and twenty-five miles from her birthplace. She was even more than other sovereigns deprived of the stimulation that comes from open discus-

[1] Burghley to Du Plessis, *Lansdowne MSS.*, cii, 212; Burghley to Walsingham, *State Papers, Dom., Elizabeth*, ccxii, 52, ccxviii, 50.

[2] Burghley to Herlle, 18 July, 1585, *State Papers, Dom., Elizabeth*, clxxx, 33. Harington, *Nugae Antiquae*, (ed. 1792), ii, 136; *Journal of Sir Roger Wilbraham* Camden Society, *Miscellany*, x, 57–8.

sion with others on an equal plane. Without parents whom she knew, husband, brother, sister or child, habituated from girlhood to caution, reticence, deceit and concealment of her real opinions, separated from all others by her position, she lived alone, though in a crowded court, and never spoke to others or heard speech from them such as they used to one another. Most of the praise and some of the blame directed toward her came to her ears; but it all came through artful and indirect ways, and she was seldom called upon to justify the one or to defend herself against the other. Such success as her administration attained was in spite of her deficiencies as a ruler rather than a result of her abilities. From repeated dangers the country was extricated only by good fortune, and golden opportunities in a long series were wasted largely by the queen's incapacity to see them or unwillingness to make use of them.

Her relations with her ministers and courtiers, her allies and enemies, will come out more fully later. But it will always remain impossible to give a complete analysis of Elizabeth's character. A writer of the next generation says, "For her own mind, what that really was, I must leave, as a thing doubly inscrutable, both as she was a woman and a queen."[1] But her mind was trebly inscrutable both as a woman and a queen because of its complexity. Stripped, however, of the flattery and the abuse of her own time, and tested as far as possible by what she did and said, Elizabeth stands an unlovely but not an unheroic figure; exasperating to those who had to work with her and to the modern student who has to trace her career, but so thoroughly representative of her own age, so many-sided, so queenly, so long the occupant of a throne, and above all so fortunate that the extravagant laudation of her own time and the tradition of her greatness that has survived to ours are easily comprehensible, however they may fade away on greater familiarity with her mind and her actions.

[1] A. H., Introduction to Dudley Digges, *The Compleat Ambassador*, i.

CHAPTER II

THE QUEEN'S HOUSEHOLD

WHERE the queen was residing at any time was the court. Letters were dated from the court, plays were given at the court, the gates of the court were at certain times ordered to be shut. The court was therefore a place, the place of royal residence. The court was also a body of people, the ministers, officials and courtiers surrounding the queen. The court removed from Greenwich to Richmond or elsewhere, plays were given before the queen and her court, the court was in mourning, the expenses of the court were increasing. Such expressions are equally common with those denoting a locality. Between these two senses of the term contemporary use constantly fluctuates. But the difference of meaning from the modern point of view is not great. Whether a place or a company, the queen was its centre.

"Where is the court but here? Here is the king."

says Edward in Marlowe's play, and what we are concerned with is the group of courtiers as they surrounded the queen, whether at one dwelling place or another.

There was still much that was personal, even patriarchal, about the organization of the court. It was the queen's household, like that of any noble or ecclesiastic, except for its greater extent, ceremony and political importance. An observant foreign traveller visiting England in 1598 has left an account of the appearance of the court so clear and simple that it may well be reproduced here at length as he has given it.

"We came next to the royal palace commonly called Greenwich, which means Green Meadow. This is said to have been erected by Humphrey, duke of Gloucester, and

magnificently rebuilt by king Henry VII. The most serene queen of England, Elizabeth, who is still in power, was born here and prefers it as a dwelling place, especially in the summer time, on account of the loveliness of its situation. On entering this palace we were admitted on an order obtained for us from the lord chamberlain by Dr. Daniel Rogers to the presence chamber, adorned on all sides with precious tapestries, (the floor, however, according to the English fashion, strewn with hay,) through which the queen customarily passes when she wishes to enter her private chapel for prayers. At the door stood a nobleman dressed in velvet, with a gold chain, whose office was to introduce to the queen earls, barons, gentlemen and others of both sexes who came to wait on her; it was Sunday, when there is usually the greatest attendance of nobility. In the hall the archbishop of Canterbury, the bishop of London, a great number of councillors of state, officers of the crown and gentlemen were awaiting the queen's coming out. When it was time to go to prayers, the queen emerged from her private apartment attended in the following manner.

"First went noblemen, barons, earls and knights of the garter, all richly dressed and bareheaded; next came the chancellor, bearing the seals in a red silk bag, between two attendants, one of whom carried the royal sceptre, the other the sword of state in a red scabbard studded with golden fleur-de-lys, the point upwards; next came the queen, in the sixty-fifth year of her age, as we were told, very majestic; her face oblong and fair but wrinkled; her eyes small, yet black and pleasant; her nose a little hooked; her lips thin and her teeth dark (a defect the English are subject to, doubtless from their too great use of sugar). She had in her ears earrings of very rich pendant pearls; her hair was dark yellow but false; upon her head she had a small crown, reported to be made of some of the gold of the celebrated Luneburg table; her bosom was bare, as all the English ladies have it till they marry, and she had on a necklace of exceeding fine jewels; her hands were small, her fingers long, and she was of middle stature. Her air was

stately, her manner of speaking mild and obliging. That day she was dressed in white silk, bordered with pearls of the size of beans, and over this a mantle of black silk shot with silver threads; her train was very long, the end of it borne by a marchioness. Instead of a chain she had an oblong collar glistening with gold and jewels. As she went along in this state and magnificence she spoke very graciously, first to one, then to another, whether foreign ministers or those who attended for various reasons, alternately in her mother tongue, in French and Italian; for, besides being well skilled in Greek, Latin and the languages I have mentioned, she is mistress even of Spanish, Scotch and Dutch. Whoever speaks to her it is kneeling; though now and then she raises some one with her hand. While we were there a certain Bohemian baron, William Slawata, presented letters to her, and she, after pulling off her glove, gave him her right hand sparkling with rings and jewels to kiss, a mark of particular favor. Wherever she turned her face as she was going along every body fell down on their knees.

"The ladies of the court followed next to her, countesses, baronesses and gentlewomen, very handsome and well-shaped and for the most part dressed in white. She was guarded on each side by gentlemen attendants, fifty in number, with gilt battle-axes. In the ante-chapel, next the hall where we were, petitions were presented to her which she received most graciously. This occasioned acclamations of "God save the queen Elizabeth." She answered it with "I thank you, my good people." In the chapel was excellent music. As soon as it and the service were over, which scarce exceeded half an hour, the queen returned in the same state and prepared to go to dinner.

"But while she was still at prayers, we saw her table set out with the following solemnity. A gentleman entered the room bearing a rod, and along with him another who had a table-cloth; after they had both kneeled three times with the utmost veneration one spread this upon the table, and after kneeling again, they both retired. Then came two others,

one with the rod again, the other with a salt-cellar, a plate and bread; when they had kneeled as the others had done and placed what was brought upon the table they too retired with the same ceremonies. At last came a maiden of great beauty dressed in white silk (we were told she was a countess), accompanied by a matron bearing a tasting knife; who, when she had prostrated herself three times in the most graceful manner, approached the table and rubbed the plates with bread and salt with as much veneration as if the queen had been present. When they had waited there a little while, the royal attendants entered bareheaded, clothed in scarlet, with a golden rose upon their backs, bringing in at each turn a course of twenty-four dishes served in silver, much of it gilt. These dishes were received by a gentleman in the same order they were brought and placed upon the table, while the lady taster gave to each of the attendants a mouthful to eat of the particular dish he had brought, so that there should be no suspicion of any poison. During the time that these attendants, who consist of one hundred of the tallest and stoutest men that can be found in all England carefully selected for this service, were bringing dinner, twelve trumpets and two kettledrums made the hall ring for half an hour together. At the end of all this ceremonial, a number of noble maidens appeared, who, with careful solemnity, lifted the food from the table and conveyed it into the queen's inner and more private chamber. Here the queen chooses for herself what she wants, the rest goes to the ladies of the court. The queen dines and sups alone, with very few attendants, and it is very seldom that anyone, foreigner or native, is admitted at that time, and then only at the special intercession of some nobleman."[1]

Some fifteen hundred persons, varying from great court and state officials down through all grades of dignity to grooms and household menials, made up this body of regular attendants upon the queen whom the German traveller saw at Greenwich. Those most closely associated with the queen personally

[1] Pauli Hentneri, J. C., *Itinerarium*, (Nuremberg, 1629), 200–205, largely as translated by Richard Bentley and printed at Strawberry Hill (1797), 33–7.

were the officials of the privy chamber; the lord chamberlain, the vice-chamberlain, a treasurer, a knight-marshal, some sixty ladies and gentlemen, knights, esquires, gentlemen, gentlemen and yeomen ushers of the privy chamber, a number of grooms, yeomen and pages, and a group of carvers, cup-bearers and waiters for her table. Among these were to be found the few women of the court. The feminine element at Elizabeth's court was exiguous at best. Occasionally a nobleman or great minister had his wife or daughter staying at court with him, or a noblewoman became an inmate of the court at the invitation of the queen, but for the most part the women of the court were only three or four gentlewomen of the bed chamber, seven or eight gentlewomen of the privy chamber, five or six maids of honor and a few in much humbler positions. At one time, soon after the queen's accession, out of one hundred and fifty-eight persons connected with the privy chamber but eleven were women; and the whole number at court was seldom greater than twenty or twenty-five. Lady Stafford, Lady Carew, Mistress Elizabeth Clifford, Mistress Margaret Willoughby, Mistress Lettice Knollys, and a very few others are the only women mentioned in a long list of courtiers of the early part of the reign. Somewhat later Anne Russell, Margaret Ratcliffe, Mary Fitton, Anne Carey, Cordwell Anstey and Elizabeth Wingfield were the maids of honor; the other ladies were at their fewest. Their presence, however, is still testified to by such entries in the accounts as that of May 23, 1589, for the monthly allowance of four ounces of cinnamon, and seven ounces each of sugar, mace and nutmegs, "for the gentlewomen of the privie chamber for posset and cawdell, burnt sacke etc." At this time Ladies Cobham, Carew, Howard, Stafford, Leighton, Cecil and Drury, and Mistresses Blanche Parry, Dorothy Edmunds, Mary Scudamore, Katherine Newton, Frances Howard, Mary Ratcliffe, Fannie Heneage, Joan Brussels, Barbara Hawke, Mistress Shelton, Mistress Brooke, Mistress Throgmorton, Mistress Carre and some four or five others made up the list. Just at the end of the queen's reign there were twenty-

eight ladies attached to the court, three of whom were the maids of honor. Even cooks, launderers and servants in the kitchen, buttery and scullery were almost invariably men, not women.[1]

The head of the privy chamber was the lord chamberlain. He made rules for its order, appointed its officers, superintended its accounts, arranged for the daily comfort and to a certain extent for the occupations of the queen. He was thus the court official actually closest to the queen. The chamberlain at this time was her first cousin Henry Carey, Lord Hunsdon, son of William Carey, an attendant of Henry VIII, and Mary Boleyn, elder sister of Elizabeth's mother. He was a few years older than the queen, had come to court on her accession, been knighted immediately and made a baron within a year. It was typical of Elizabeth's policy that he, like her other most active ministers, had been raised no higher in the nobility, though thirty years' service had intervened. He had, however, been appointed a privy counsellor and captain of the band of gentlemen pensioners, governor of Berwick, and warden successively of the East March and all the Marches on the Scotch border. He was also granted valuable estates, including the occupancy of the queen's palace of Somerset House on the Strand, from which she rode to the thanksgiving ceremony at St. Paul's. Hunsdon had lived an extremely active life, passing continually between the court and his northern governorships, or on embassies to Scotland, France or the Netherlands upon which he was sent by the queen. It had devolved upon him not only to struggle with the never ending disorders on the border, but to take command in the suppression of the uprising of the North in 1569 and 1570. He was appointed to many special duties at various times in England. He was one of the commissioners who tried and convicted Mary at Fotheringay, and his latest service had been to take, on the appointment of the privy council, the

[1] *Lansdowne MSS.*, iii, 191–2, xviii, 73–4, xxxiv, 74–6, lix, 43; *Subsidy Roll*, 22 Oct., 40 *Elizabeth*; *State Papers, Dom., Elizabeth*, ccxxiv, 59; *Harleian MSS.*, Vol. 6265, 1–14.

responsibility for the personal safety of the queen when the invasion of the Spanish army was anticipated in August, 1588. He was a good type of the hard working, much enduring and not too well rewarded Elizabethan official. As lord chamberlain from 1573 to his death in 1596, he had much authority, and his near relationship to the queen gave him as much influence over her as anyone possessed, except her still closer and more personal favorites, Leicester and Essex.

His position, his services and his relationship together, however, were not sufficient to relieve him from the occasional tirades of his mistress. His son, Sir Robert Carey, writes to him in unusually unconventional spelling, even for an Elizabethan, of an interview with the queen, who was dissatisfied with his delay in starting to the north. "May it please your Lordship t' understand, that yesterday yn the afternoone, I stoode by her Majestie, as she was att cards yn the presens chamber. She cawlde me too her, and asket me, when you ment too go too Barwyke? I towlde hyr, that you determynde to begyn your journey presently after Whytsontyd. She grew yntoo a grate rage, begynnyng with Gods Wonds, that she wolde sett you by the feete, and send another yn your place, if you dalyed with her thus; for shee wolde nott be thus dalyed with all. I towlde her, that with as much possyble speed as myght be, you wolde departe; and that your lyyng at London thys fortnyght was too no other ende but to make provysion for your jorney. She anseryd me, that you have byn goynge from Crystmas too Ester, and from Ester to Whytsonday; but if you differde the tyme any longer, she wolde appoynt some uther yn your place; and thys message she commandyd me to sende you." [1]

Hunsdon was himself a rough man, often profane and obscene in his speech, and fonder of the company of the boisterous element than of literary men or professed statesmen. Notwithstanding his long life at court, he had but little of the polish of the courtier. He was however removed

[1] *Memoirs of the Life of Robert Cary* (ed. 1759), 195-6.

by position and inclination from the factions into which most of the courtiers were divided. He was frank and straightforward, and many who secretly ridiculed his manners and his Latinity and openly avoided his rough masterfulness, felt security in his freedom from dissimulation and absence of malice. A beautiful copy of Froissart that was once in his possession still shows annotations in his own hand to attest his habit of reading. He was faithful and devoted to the queen and she always trusted him. A contemporary calls him "a man fast to his prince and firm to his friends and servants." While he was at court he was indefatigable in his attendance at the privy council, and as chamberlain it devolved upon him to arrange for interviews of foreign ambassadors and other distinguished visitors with the queen, a duty not without political significance.[1]

The frequent absences of Hunsdon from court made the vice-chamberlainship more important than it would have been under other circumstances. It was occupied at this time by Sir Thomas Heneage, a man of capacity and influence. Like Hunsdon he was somewhat older than Elizabeth and like him also he was sprung from a race of government officials, his father and three uncles all holding office under the crown. He himself, after some study in Cambridge and at Gray's Inn, had begun his career at court as gentleman of the privy chamber, had been knighted, and had risen to be treasurer of the chamber, vice-chamberlain, privy councillor, and was soon afterward made chancellor of the duchy of Lancaster. He sat on many special commissions for trials of state offenders and for other purposes, was made treasurer of war during the Armada campaign, and was a constant attendant at council meetings. He received a series of grants of land and built up his fortune more securely than some of his colleagues. He was laborious, moderate and trustworthy. He is spoken of by a correspondent in 1591 as "Good Sir Thomas," and

[1] Naunton, *Fragmenta Regalia* (ed. 1797), 84, 126–7; *Froissart, Croniques*, Vols. 1 and 2 in British Museum.

seems to have held a place at court satisfactory to himself and not envied by others.[1]

Scarcely less constantly and closely attendant on the queen than the officials and servants of her privy chamber in the strict sense of the word, were those who guarded her person. Fifty years before this time, late in the reign of Henry VIII, had been formed a special body of fifty gentlemen to act as a royal guard of honor. This was the band of gentlemen pensioners who formed such a conspicuous element of Elizabeth's court. The presence on its roll of such family names as Howard, Norris, Carew, Blount, Stafford, Digby, Greville, Beddingfield, Jerningham, Seymour, Tyrrell, Pole, Throckmorton and many others of similar ring, indicates the rank in society of its members. It is the roll of the Tudor aristocracy with only a few omissions and only occasional survivals of an older tradition. Many of its members were knights. Lord Chamberlain Hunsdon was at this time captain of the band. Its members took an oath of special personal fidelity to the queen beyond that taken by all persons in the service of the crown, and they were bound by a body of regulations drawn up by the queen. At least two thirds of their number must always be present at court and the whole band was in attendance at Christmas, Easter, Whitsuntide and Allhallowtide. They received a substantial salary and allowance for meals, the captain's place being one of the best paid court positions, the lieutenant's worth half as much, and the standard bearer's scarcely less. On the other hand each was required to keep at his own expense three horses and one servant. They must provide themselves and their servants with full suits of armor and weapons. This warlike equipment contemplated rather a remote contingency, though at the time of Wyatt's rebellion their guardianship of the sovereign flamed up for the moment into serious responsibility. One of them tells in his autobiography how "we came uppe into the chamber of presence with ower pollaxes in ower handes,

[1] *Acts of the Privy Council*, xv, 228, xvi, 203; *Cal. State Papers, Dom.*, 1591–4, 153.

wherewith the ladies weare very fearefull. Some lamentenge, cryinge and wryninge ther handes, sayde, 'Alas, there is some greate mischeffe towarde; we shall alle be distroyde this nyght; whatt a sight is this, to see the queene's chamber full off armed men; the lyke was never sene nor harde off.'" [1]

Ordinarily the gentlemen pensioners bore, or their servants bore for them, gilded battle-axes, and their most regular duty was to appear by nine o'clock in the morning in the presence chamber of the queen, there to await her coming, and to accompany her to chapel and back, this service being performed again at evening. When she went on progress they or some of them accompanied her; when she rode they were present at her mounting her horse or alighting; when she received ambassadors or other distinguished guests they attended to keep the room orderly and to add to the impressiveness of the scene; and at great feasts they acted as attendants of honor serving the queen. General seemliness of behavior was provided for by a standing regulation that "as well in her most honorable chamber as in all other places where her Highness shall pass by them, and at their board, they do use honest communication and soberness, that is to wit, without oaths or any rage in talk." Membership in the band of gentlemen pensioners was not only a badge of good family, it was a stepping stone to higher appointments, and therefore in much demand. It was early ordered that the lord chamberlain should fill vacancies in the band of pensioners as they should occur from the gentlemen-at-arms. Hunsdon and Knollys, the queen's cousins, were gentlemen pensioners. The first appointment at court of Hatton, one of the most successful of courtiers, was as one of the gentlemen pensioners; when he proceeded in state to Westminster hall to take his oath as lord chancellor, he was accompanied by his old fellow members

[1] P. R. O. *Gentlemen Pensioners' Roll*, 31 *Elizabeth; A Book containing the Oath and Articles belonging to her Highness' Gentlemen Pensioners, Anno 1601*, Society of Antiquaries (1790), 276–80; *Account of Edward Underhill, Esquire, of the Band of Gentlemen Pensioners*, Tudor Tracts, 191. *Narratives of the Reformation*, Camden Society, 161.

as a guard of honor; and when he died they followed his funeral.[1]

Of less distinguished membership and with less conspicuous duties than the band of gentlemen pensioners, was the queen's guard. It consisted at this period of possible invasion of two hundred ordinary and as many more extraordinary yeomen. The former received substantial wages, the latter lived principally on the hope of promotion. The guardsmen wore a brilliant livery or uniform. We have already noted one German visitor watching their entry into the court "clothed in scarlet, with a golden rose upon their backs." Another describes them as "splendid, tall, strong and large men, like half-giants, surrounding the queen at her court at Richmond, clad in red cloth with roses embroidered in gold upon their breasts and backs." Still another describes their gilded halberds, the handles covered with red velvet. They are as conspicuous in contemporary pictures as in contemporary description, and with their servants similarly dressed must have done much to give to the English court at that time its reputation for magnificence.[2]

The captain of the guard at this period was a much greater man if a less exalted nobleman than the captain of the band of gentlemen pensioners. This was Sir Walter Ralegh, whose fine face and ready speech had six years before attracted the attention of Elizabeth and set him on the road to success at court. His abilities and training would have justified even greater and more rapid advancement. To no man of Elizabeth's court would the tribute to the good courtier of his friend Edmund Spenser better apply than to Ralegh.

> For he is fit to use in all assayes,
> Whether for armes and warlike amenaunce.
> Or else for wise and civil governaunce.

[1] *Book containing Oath and Articles*, 276–280; *Acts of the Privy Council*, iii, 30, xxi, 14, 416; Stow, *Chronicle* (ed. 1631), 764.

[2] Hentzner, 204; *Journal of the Duke of Stettin*, Trans. Royal Hist. Soc., New Series, vi, 13; *Journal of Samuel Kiechel of Ulm*, quoted in Rye, *England as Seen by Foreigners* (ed. 1865), 87.

Naunton, writing some ten years after his death, describes him scarcely less appreciatively. "He had in the outward man a good presence in a handsome and well compacted person; a strong naturall wit and a better judgement, with a bold and plausible tongue whereby he could set out his parts to the best advantage; and to these he had the adjuncts of some generall Learning, which by diligence he enforced to a great augmentation and perfection, for he was an indefatigable Reader, whether by Sea or Land, and none of the least observers both of men and the times." [1]

Sprung from an old race of obscure gentry in Devonshire, he spent his boyhood in that county, and the genius of a modern artist has probably not gone astray in connecting his love of the sea with the tales he may well have heard on its coast. As a young man he had a temporary connection with Cambridge, with the Middle Temple, and with the court, but spent more of his time fighting as a volunteer in France and in regular military employment in Ireland. After his definite entrance upon court life in 1582 he rose rapidly to wealth and influence. He was granted extensive forfeited lands in England and Ireland, a license to export cloth free of duty, and the lucrative monopoly of licensing wine houses. He was knighted in 1584, appointed warden of the stannaries, lord-lieutenant of Cornwall and vice-admiral of the western shires in 1585, and captain of the queen's guard in 1586. He was frequently a member of parliament and regularly consulted by the queen and the council on Irish affairs. He had a group of friends that would reflect honor on any man in any age. Not only was he familiar with the company at the Mermaid, Shakespeare, Jonson, Spenser and Marlowe, and acquainted with Bacon, Sidney and Greville, but he spent much time with Hakluyt, Harriott, Cotton and Selden. He was in 1588 thirty-six years old, and one of the handsomest, most gorgeously dressed, most gifted, most learned and most fortunate men in England. Nevertheless, he just fell short of

[1] *Mother Hubberd's Tale*, lines 780–782; Naunton, *Fragmenta Regalia*, Arber Reprint, 48–9.

attaining the higher positions in the state that he coveted and would have filled with credit. His captaincy of the guard was rather an honor conferred upon a personal favorite of the queen than an office of influence or responsibility. He was never made a member of the privy council. He was never sent on an embassy of serious import. He never had the sole command of an army or a fleet of the queen. He was contentious, and notwithstanding his magnanimity was frequently connected with one or other of the court factions. He was, therefore, unpopular with the oldest and most influential ministers. His vigorous and original powers of mind have made more impression upon men of later times than they did upon his contemporaries, and through all this period he had more prominence as a courtier than as a statesman.

Although there was no mounted body of guards, yet the use of horses by the queen and the court was so extensive as to make the stable a conspicuous part of the court establishment. The royal stable had from time immemorial been one of the great branches of the court, and in Elizabeth's time it was hardly less considerable than of old. It included some two hundred and seventy-five horses and required the services or provided the sinecures of more than a hundred men. It involved a very serious annual outlay, running up to some thousands of pounds, and Elizabeth made repeated efforts to reduce its expense. But the constant sending of messengers, the frequent changes of location of the royal household, the purveyance, the hunting, the pageants, all made such constant demands upon the stable, that its officers were easily able to resist any considerable diminution in its extent and cost. As in the case of the pensioners, many of the officials and even grooms of the stable were knights or gentlemen of good family, and indeed in many cases they were the same persons, drawing salaries in their two capacities.[1] The office of the master of the horse had long since become, like those of the captains of the guard and of the gentlemen pensioners, a posi-

[1] *State Papers, Dom., Elizabeth*, ccxvii, 57, ccxxi, ccxxxiii, 69; Peck, *Desiderata Curiosa* (ed. 1779), i, 64; P. R. O. *Subsidy Roll*, 22 Oct.,40 Elizabeth.

tion of special personal honor, and it was now held by the queen's prime favorite, the earl of Essex. Few readers of the history of this period have failed to be attracted to Essex, and the same charm gained him admiration and affection in his own time. His winning personality appealed to the populace as much as it did to the queen. His short career and its tragic close is necessarily interwoven with the narrative of the time and need not be anticipated here. In 1588 he was but twenty-two years old, and had been regularly attached to the court little more than a year. But his high rank, his blood relationship to the highest officials, his spirit, and above all the queen's violent fondness for him had insured his prominence from the beginning of his attendance there. Elizabeth was thirty-three years older than he, much more than old enough to be his mother, and her attachment to him was maternal, if not grandmotherly. Almost the first recorded anecdote we have of him is his refusal of the queen's proffered kiss when on an early visit to the court as a pretty boy of ten; and almost his whole subsequent life saw a continuance of the queen's desire for his presence, met on his part by an alternation of complaisance and actions of intolerable offence or disobedience to her. He had already been knighted, given the garter, and appointed master of the horse. He was soon to be enriched by lucrative grants and monopolies, made a privy councillor and master of the ordnance, appointed to conspicuous commands, and ultimately given the title of earl-marshal, which gave him precedence over all other earls in England. He had been carefully educated and wrote well, both in English and in Latin, both in prose and poetry. Almost every writer of the time refers to Essex with admiration, many with real affection and attachment. Generous, impulsive, sympathetic and high-spirited, but entirely without the gifts of a statesman or a general, he was much better suited to the life of a poet or of one who was merely a courtier than to the far more ambitious role he tried to play.[1]

A more inclusive term than the privy chamber, to which

[1] Devereux, *Lives of the Devereux, Earls of Essex*, i, 163, ii, 217.

Hunsdon, Heneage, Ralegh and Essex were attached, though still a narrower one than the court, was the household. This embraced all the great body of persons surrounding the queen and engaged in the keeping up of her establishment, though not in her immediate personal service. The responsibility for the direction of the household, or court as a domestic establishment, belonged to the lord steward. His duties were shared by a treasurer, comptroller and cofferer of the household, and these great officials were assisted by a whole corps of masters, clerks and comptrollers of its various sections. Leicester had long held the office of lord steward, and recently, on his death, it had been entrusted to the earl of Derby. Sir Francis Knollys was treasurer of the household. He was one of the most influential of the queen's councillors, and as he was the oldest of all the group that surrounded her, and had been given the honorary degree of Master of Arts by both universities, was not inappropriately spoken of by a court poet as "the noble English Nestor."[1] Born in 1514, son of an usher of the chamber of both Henry VII and Henry VIII, married to a daughter of Mary Boleyn and therefore cousin by marriage to the queen and brother-in-law of Lord Hunsdon, he had lived through his whole life in the innermost circle of the court. He was at first a gentleman pensioner, then made vice-chamberlain, then, on the accession of the queen, captain of the guard and privy councillor, and ten years later treasurer of the privy chamber. From 1571 to his death in 1596 he held the treasurership of the household. He was frequently a member of parliament and acted as a special spokesman for the government in that body. There was no more regular attendant at the meetings of the privy council and he served on many government commissions. Knollys was a strong Puritan and more than once came dangerously close to punishment for his nonconformity to the wishes of the queen in matters of religion. He had been given charge of Mary Queen of Scots when she first came into England and tried to teach her English and his own puritanic doctrines at

[1] George Peele, *Polyhymnia*, Eighth Couple.

the same time by reading with her the English prayer book and the Bible. He seems to have secured her respect if not her conversion, but was so unfortunate later as to have to serve on the court that convicted her, as well as on many similar commissions for the trial of Catholics. His daughter Lettice and five sons were all well known either at court or in other public service. He, his wife and children received many grants, but of moderate proportions, and they remained a well-to-do official family, not extremely wealthy and not within the ranks of the nobility. The comptroller and the cofferer of the household were not such distinguished or influential personages, though Sir James Croft, the comptroller, was a member of the privy council and occasionally appointed on special commissions.

It was the duty of these officials to regulate all the material affairs of the court, overseeing the purveyance of supplies, the appointment of servants and officers connected with the household, the keeping of accounts, the good order, comfort and material well-being of the queen, her officials, and the thousand and more persons attached to the court. Some one of the four great officers sat daily between nine and ten o'clock in the morning at the counting-house to look over the reports of the expenses of the previous day, and at less frequent intervals it was the duty of the lord steward to examine the record of payments and receipts kept by the clerks and comptroller of the greencloth, or financial office of the household.[1] Through this office there was an important connection of the court with the country at large. The purveyors and other officers of the royal household still, as for centuries before, collected food supplies and impressed horses, wagons and other requirements for the queen and court, at prices set by themselves. A system of compositions or commutations of these requirements for fixed amounts was however now in progress which was arranged between the household officers and the justices of the peace of the various counties. The lord steward,

[1] *The Book of Household of Queen Elizabeth*, Society of Antiquaries, 281, 308–12.

treasurer and comptroller of the household, like the lord treasurer and lord chamberlain, carried white staves as badges of office.

Successive sovereigns had found great trouble in the regulation of their household. Its extent, its semi-public character, its complicated customs and its traditions of privilege, its control by a vast number of officials great and small, made waste, peculation, neglect of duty and disorder almost unavoidable. Elizabeth's economy was more rigorous in some other directions than it was in the household, and as a matter of fact its expenses constantly grew during her reign and its disorders gave occasion for frequent complaint.[1] The household was no ascetic or stinted establishment. Of the £57,363, 17*s*, 10½*d*, or, according to another estimate, £63,153, 5*s*, 4*d*, which was spent by the queen in the year 1588, in regular salaries, more than £21,000, almost one third, went to those who provided creature comforts and amusements to the queen and her courtiers. Calculated somewhat more broadly, food, wages and liveries for the household usually cost something more than £40,000 a year, the cost of food alone rising often to more than £20,000, a sum equalling some $500,000 in modern value.

The household included a group of domestic departments, the bakehouse, the pantry, the larder, the spicery, the poultry, the kitchen, the scullery, the woodyard, and a number of other offices, each with its corps of gentlemen, grooms, yeomen, clerks and pages. Attached to the court and engaged in procuring subsistence for it were purveyors of beef, of mutton, of pork, of poultry, of sea fish and fresh-water fish.[2] The habits of eating indicated by this expensive and complicated organization were excessive. Of this there is abundance of direct evidence. One of the perquisites of the higher officials

[1] *State Papers, Dom., Elizabeth*, ccix, 92; *Cal. State Papers, Dom.*, 1581–90, 202; Hamilton, *Quarter Sessions from Elizabeth to Queen Anne; Order of funeral procession of Mary, Queen of Scots*, Pollard, *Tudor Tracts*, Arber Reprint, 480.

[2] *Lansdowne MSS.*, iv, 17b, xvi, 114–116, xxix, 157, lvi, 53; *Harleian MSS.*, Vol. 6265, 1.

was what was known as "bouge of court." This was a regular allowance of food, drink, wood and coals for cooking and warmth, and candles for light. Dinner and supper in this allowance each regularly consisted of two courses, the distinction between the two meals being inconsiderable. There was no special provision for breakfast. Some examples may be given. Early in the queen's reign "Mr. Secretary's diet in the court," consisted on a "flesh day" of a first course of beef and mutton, veal, capon, conies and baked meats, and a second course of lamb or fowl, larks and tarts, with fritters three times in the week. On a fast day the first course consisted of ling, salmon or herring, pike, plaice or whiting, haddock or codfish or baked meat; the second course of coney or lamprey or roach or smelts, finishing up with a tart. Somewhat later, when habits of expenditure had become greater, the lord steward's allowance provided at each of the two meals of a flesh day for a first course of three kinds of meat, capon or rabbit, custards and fritters, a second course of lamb or kid, larks, plovers or pigeons and either tarts or fritters. For each meal he had butter and eggs, four sorts of bread and four gallons of beer or ale. On Wednesdays and Fridays his first course consisted of six, his second of three kinds of fish, with two tarts, eight dishes of butter and twenty-five eggs. Besides this provision there was an allowance of so many loaves of bread and so much ale and wine to stay hunger between meals. Sometimes the allowance was made by the year. In 1574 the treasurer of the household received twenty-two fillets of beef, nine bucks and does, thirteen lambs, two sheep, eleven gammons of bacon, six pieces of pork, nineteen capons, nine cocks, five geese, two turkeys and three calves feet, as his annual allowance.[1]

It is to be remembered that these meals provided for servants also. This must have been especially true of the queen's meals, which doubtless served for many dependants after she was through with them. Her usual menu is quite too long to quote. A court ordinance signed by herself at the beginning

[1] *Lansdowne MSS.*, viii, 15, xvi, 114–116; xxix, 154, xxxiv, 74.

of her reign allowed for five kinds of meat and six of game besides the usual bread, beer, ale, custards, tarts, butter, eggs and fruit, at each meal. By 1580 this old ordinance had come to be so far disregarded that the queen's usual meals consisted of beef cooked in three ways, veal cooked in two ways, mutton cooked in four ways, capons, chickens, conies, swans, herons, snipe, quails and curlews, besides the usual accompaniments, including by this time oatmeal and sugar. An estimate of "Her majestie's Diet for Dynner with the particular prices thereof," on which Burghley's annotations still appear, gives seven kinds of meat, six kinds of domestic poultry and eight varieties of wild fowl, custards, tarts and wardens, four gallons of beer and ale and three pints of wine. This meal cost £6, 10*s*, equalling perhaps 150 dollars in modern value.[1]

There was the same great expense in clothing and ornaments. Officials of the jewel-house, the robes and the beds, the three kings at arms, the heralds, pursuivants and sergeants at arms were engaged especially in provision for the adornment of the queen and greater courtiers. But there was also a vast amount of money spent on the liveries of the guards and lesser household officials. Such entries as the following are frequent; "to pay to Edward Wingate, clerk of the cheque of the guard, £219, 10*s*, for red cloth for summer liveries for the yeomen of the guard and others for this year," "£8 2*s* for embroidering with E. R. set in Venice gold the red coats given to the grooms and pages of the chamber," "John Parr, the queen's embroiderer, £88, 9*s*, 4½*d*, for embroidering red coats for the yeomen of the guard with roses and crowns imperial, and for satin and canvas for the coats for this year," "to pay to Robert Sharpe, queen's goldsmith £401, 16*s*, 2*d* for fine gold and silver for making spangles for the coats of the guards, footmen and messengers of the chamber for this year." A chance list of such expenditures as late as 1597 shows much the same practice, and it had been the same earlier in the reign. The purchase of liveries in the year 1574 amounted to £952, 7*s*, 4*d*; something over £8 was paid for embroider-

[1] *Lansdowne MSS.*, xxix, 143–161, dcccxx, 2.

ing E. R. upon thirty-eight of them; and gold and silver to make spangles for the coats of the guard cost £403, 13*s*, 2*d*. The coats of the guard bought the preceding Christmas "stode hir majestie with £630, 13*s*, 1½*d*; the spangles of the saide coates the sum of £2896, 2*s*, 11*d*." Not only the gentlemen pensioners and members of the guard, but the numerous yeomen and messengers of the queen's chamber glittered in the gorgeous livery of the court and almost outshone the nobles and great officials.[1]

The court servants were held responsible for the gold and silver on their liveries. In 1575 one hundred and twenty-seven members of the guard were required to turn in their coats for examination. The silver on each coat varied from ten to twenty ounces in weight and altogether amounted to 2,323 ounces of pure silver, which was on this occasion replaced with new ornaments and spangles. While the queen's own servants were clothed with such great expense, an effort was made to restrict private show and extravagance in apparel by classifying all the courtiers and placing them under the usual requirements of the statutes of apparel. The total cost of Elizabeth's court and household came to about £50,000 a year, equalling perhaps a million and a quarter dollars in modern value. This sum was not infrequently exceeded and showed a considerable increase on the court expenditures of her father, although it was in turn doubled, at least in nominal amount, during the reign of her successor.[2]

It was characteristic of a Tudor court that musicians and players should be numerous and prominent. There were in 1588 not only a number of trumpeters and drummers, but two harpers, three lute players, eight players on the viol, six on the sackbut, three on the virginals, two on the flute, a rebeck player, a bagpiper, and a number of singers, minstrels and players of interludes, making up in all some seventy or eighty

[1] P. R. O., *Docquet*, quoted in *Cal. State Papers, Dom.*, 1591–4, 549, 1595–7, 492; *Lansdowne MSS.*, xviii, 93.

[2] *Lansdowne MSS.*, iv, 17, xvi, 110–112, xviii, 93, xxix, 157, lv, 1; Nichols, *Illustrations of Manners and Expenses of Ancient Times.*

musicians and other players. It was equally characteristic of England and of the sixteenth century that most of these should be foreigners. There were six brothers, Venetians, named Bassano, all players on the recorder and the sackbut. There was another group of three Italian brothers named Lupo. Petruchio Ubaldino, Innocente Come, Piero Gunze, Cesare Galiardello and others scarcely need the word "alien," which is attached to their names in the register of the household, to indicate their origin. Gomaer van Ostyrwicke another of the queen's musicians, was doubtless a Fleming. On the other hand, the trumpeters and drummers, the master of her majesty's chapel, Nathaniel Giles, the thirty-two gentlemen of the chapel, and the children whom Giles was empowered to take up, bring to court, and train for her majesty's service, wherever he could find them best in England, were all English. Nor could there be any doubt of the nationality of Dr. John Bull, long the organist of the queen's chapel.[1]

These musicians, players, and gentlemen and children of the chapel not only served for the ordinary diversion of the court but were engaged along with others at festive seasons in more elaborate pastimes. Mummeries, pageants, dialogues, masques, interludes and plays were arranged and celebrated before the queen, not only by outside groups of players, such as the children of St. Paul's, Westminster and Windsor, gentlemen of the Inns of Court and bodies of players under the patronage of various noblemen, but by inmates of her court. The outside companies received a fee ranging from £6 to £10 for each performance; members of the court received no special reward. The control and arrangement of these entertainments were in the hands of an official known as the master of the revels. The office of the revels, which consisted of a master, a yeoman, a groom and two clerks, had been in existence since 1546 and now, under Edmund Tylney, was at the height of its activity, if not of its expenditure.

[1] Lafontaine, *The King's Musick*, 12–42; P. R. O., *Docquet*, July 4, 1597; *Cal. Hatfield House MSS.*, iv, 76, 106.

It was located in the old building of the Knights of St. John at Clerkenwell where it had a hall for rehearsals, rooms in which artificers could work, and chests, wardrobes and closets where all sorts of apparel, stuffs, furnishings and properties were kept. Here the master sat almost daily from the first of November onward for the choosing and "reforming" of plays and pageants. By the middle of December the active work was begun of arranging the plays and making the necessary costumes, constructing the scenery and providing the equipment for the series of plays of various kinds which were to occupy so much of the time during the festive season beginning with Christmas and lasting till Shrove Tuesday. The old costumes and stuffs were aired, looked over and utilized, scores of carpenters, painters, tailors and other craftsmen were employed to construct new equipment.

When completed the costumes, structures, apparel for players and horses, artificial trees and flowers, mock weapons and other theatrical paraphernalia were hauled with much difficulty and expense to Greenwich, Hampton Court, Windsor or wherever else the series of Christmastide or Shrovetide festivities were to be held. The accounts are filled with such items as, "to a bargeman for cariage by water, 10*s*"; "to the porters that watched all nighte at the Black Fryars brydge for the coming of the stuf from the coorte, 2*s*"; "to the workmen that wayted on the maske all nighte, who had no tyme to eate theyr supper, 8*s*"; "to the waggener for cariage on New Yeres daie, 18*s*"; "for mony disbursed for fetching and bringing by water from Greenwich certain gilt pillars and frames, 4*s*." Other sums are paid "for Rozes, 46 bushels, 46*s*," "pinks and privett fflowers, in all, 14*s*, 4*d*." "Hunny Suckells, 6 bushels, 12*d*"; "a storie enacted on Shrovesondaie night whereon was ymployed 17 new suits of apparrell, 2 new hats of velvet, 21 ells of single sarcenent for facings, bands, scarfs and girdles, one citty, one palace, and 18 pairs of Gloves." [1] Materials from the stores of the master of the

[1] Cunningham, *Extracts from the Accounts of the Revels at Court*, 1–4, 13, 151, 179, etc.

revels were loaned to outside bodies of players as well as to the courtiers who took part in masques, interludes or other devices, and they were even drawn upon for the weddings and other celebrations of those who gained the favor of the master or that of his superiors far enough to be privileged to use them.

The expenses connected with the revels were not during this later period of the reign nearly so great as during Elizabeth's earlier years. In 1561, the third year of her reign, the "Revels Book" shows plays of one kind or another performed between April and September at thirteen different places, at a total cost of £3,209, 10*s*, 7½*d*. There were performances at Westminster under the charge of the revels office in each of the five months from May to September. Ten years later, in 1571, the expenses of the revels for the year amounted to £3,585, 15*s*. The payments were most lavish. They included the hire of armor for setting forth of various plays, the purchase of cloth of gold, silver and tinsel, of velvet, satin, taffeta and sarcenet, each more than £100; for "owrestones called Sitterynes and Topazes and for bugles with their enamelling and gilding and furnishing," evidently stage jewelry, £22, wages of workmen £247, and officers' fees, £207. Even now, however, at a more subdued period, and perhaps partly as a result of being superseded by the new dramatic companies, the salaries of the officials, the care of the old paraphernalia and the construction of new for Christmas and Shrovetide pastimes and for other occasional plays or pageants amounted to £250 a year or more. In the year of the Armada, when "the Queen's Majestie beinge at Greenwich there were shewed, presented and enacted before her highness betwixte Christmas and Shrovetide seven playes, besides featts of activitie, and other shewes by the children of Poles, her Majestie's owne servants and the gentlemen of graye's In, on whom was employed dyvers remnants of clothe of goulde and other stuffe oute of the store," the expense of the year according to Tylney's account amounted to £191, 15*s*, 6*d*. In the spring of the year 1591 the plays and inter-

lades given before the court cost in fees alone £60, 15[illegible] and at the succeeding Christmas period eight or nine plays involved rewards of £90.[1]

Hawking and hunting came close to music and pageantry in the interests of the queen and court. It is not therefore a matter of surprise that they gave places to some seventy officials of the harriers, the hart-hounds, the buck-hounds, the otter-hounds, the leash, the bows and the toils. Falconers and keepers of the pheasants and partridges were on regular salaries, as were the mole taker, rat taker, gardener and other humbler out-door employees.[2]

Finally six surgeons, three physicians, three apothecaries and one astronomer guarded the health of a queen who took medicine reluctantly; but doubtless they found other opportunity for their activities among the members of the queen's great household.

[1] Kempe, *The Lossley Manuscripts*, 10–24; P. R. O., *Auditor's Office Declared Accounts*, *Bundle* 1045, 8; *Cal. State Papers*, *Dom.*, 1501–1512, 1595–7, 351; *Acts of the Privy Council*, xx, 204, 287, 327–8; *Lansdowne MSS.*, v, 1–3, ix, 100–7.

[2] *Cal. State Papers*, *Dom.*, 1581–90, 355; *Lansdowne MSS.*, xxix, 171.

CHAPTER III

MINISTERS AND OTHER COURTIERS

THE court was, however, something more than the queen's privy chamber or the queen's household; it was the seat of government of England. The great officials of state because of their constant intercourse with the queen were also courtiers. Some, such as Burghley, Hunsdon and Walsingham had their own homes, but they were at court almost daily unless ill or abroad. Others were constant residents in court. The ceremony and the amusements, the petty interests and the loss of time at court were a serious obstacle to the work of government, but they were inseparable from the system of personal administration by the queen. Burghley with his multifarious duties and serious sense of responsibility seems to have felt this discrepancy between the court as a household and place of festivity and as an office of government most strongly. June 24, 1588, he writes to Walsingham complaining of a notice that he must be at court at Greenwich on Wednesday, when there was to be a meeting of the lords at Westminster on the same day. He regrets the courtly carelessness of time, that even when there is a meeting appointed at court "in manner of a larme," the greater part of the time is not spent in serious causes, but for no use at all. However, he probably spoke with unusual impatience, as he was just at this time depressed with public and private troubles, the heaviest of which was the death of his favorite daughter. He closes his letter, "And so I end *in crepusculo*, 24 June, a dark night after a black morning for me and mine." [1]

If there is anyone to be considered along with the queen

[1] *State Papers, Dom., Elizabeth*, ccxxi, 56.

in a search for the real responsibility for the work of government at this time it will undoubtedly be Burghley. The office of lord treasurer was necessarily one of great influence. He was general paymaster of all who received the queen's wages, whether at court or elsewhere in her service, and through his hands, figuratively at least, passed all the income and expenditure of government. All policy, then as ever, was conditioned on the finances, and the power of the purse, in that period of weakness of parliament, lay, under the queen, largely in the hands of the lord treasurer. He was a member of the privy council and gave a decisive opinion on many matters. His position involved judicial as well as administrative duties, and he had a general supervision over all the work of government. At this time, however, it was rather the personality of the lord treasurer than the inherent powers of his office that gave Burghley his unique influence in the government. He was cautious in temperament, thoughtful and conscientious, of good education and retentive memory. The son of an official of Henry VIII, enriched like most of his contemporaries by the acquisition of church lands by gift or advantageous purchase, he had all the interest of a newly advanced family in old aristocratic connections, and one of his very few diversions from business was the study of genealogy. The most prominent of his traits was his industry, and the most important characteristic of his position as a minister was the long period he held it. Scores of volumes of letters, papers and memoranda in his own handwriting remain to testify to this industry. He never tired and never allowed the current details of government to pass from his mind. Somewhat older than the queen, he had served her brother and her sister and had been in her own service from a period before her accession. His steady, moderate, efficient hand is clearly to be seen in the whole administration of Elizabeth. Few ministers have made so few mistakes, few who have attained eminence have remained on so continuous a level of mediocrity. He had nothing of the bold, imaginative or farseeing. When his policy was more vigorous than

that of the queen, it was because he recognized more clearly than she the conditions of the problem and was temperamentally more capable of decided action, not that his gaze rose higher or extended further than hers. His actions were of course limited by her wishes, disapproval or commands, but on the whole, through the life-time of both, the policy of Burghley and of the queen ran remarkably close together. He was now sixty-eight years old, and suffered much from gout and other indispositions, but his indomitable industry and conscientious determination to perform his duties kept him still daily and often nightly laboring in the work of government.

Many stories are told of his sharpness of tongue and of occasional positive ill nature. He was harsh to the Catholics when some of his colleagues would have been more lenient, and he did little to make easier the lot of those out of favor with the government. On the other hand a long catalogue of individual kindly acts might readily be made. He was not a very good courtier, though he entered as far as seemed necessary into the court festivities. But he much preferred to live and work either at his town house in the Strand, or, when he could, at his country house at Theobalds. Still it was impossible for him to be long out of touch with the queen, and there was no more characteristic and conspicuous figure at Elizabeth's court than the old lord treasurer.[1]

Nominally in a higher position even than that of the lord treasurer was the lord chancellor. His was the most dignified and most highly paid position among the ministers. Although his work had already become primarily judicial, his name was always placed first in the lists and signatures of the privy council and his opinion was influential in all matters of government. Sir Christopher Hatton, who was lord chancellor from 1587 to 1591, was preeminently a courtier, indeed he was placed in his exalted position by the queen largely because of her knowledge of him at court.

[1] *Manningham's Diary*, 16, 61; Hawarde, *Les Reportes del Cases in Camera Stellata*, 60, 61.

Hatton had become a gentleman pensioner in 1564, had since been appointed to many honorary positions, been made a privy councillor and deluged with grants and gifts. He was frequently a member of parliament and served on many commissions. He was a man of worth and dignity, from which the fact of his possession of an unusually handsome person should not detract; nor should the old story that at his niece's wedding, he laid his chancellor's robe on a chair with the adjuration, "chancellor, lie there," while he joined in a dance. His personal influence with the queen, as well as his position, made his patronage much sought, and surviving records, letters and anecdotes all testify to his kindliness, his faithfulness in the work of government and at least to his moderate ability. When he died in 1591, the charge of the great seal and the judicial duties of the office were given to Sir John Puckering, and in 1596 to Sir Thomas Egerton, but through the remainder of Elizabeth's reign no one held just the position at court held by Hatton during his life-time.[1]

Lord Howard of Effingham, lord admiral, was at court almost constantly when the duties of his position did not take him to sea. He was the only one of the prominent courtiers who surrounded the queen at the beginning of her reign who saw its close. Allied to her by marriage, like so many others, handsome, well-educated and accomplished, it was a matter of certainty that he should occupy a position of prominence at court. He was lord chamberlain before he was made lord admiral, sat on numerous commissions, was ambassador to France, was repeatedly in parliament and was made a knight of the garter immediately after he inherited his father's peerage. He was, however, like his father-in-law, Lord Hunsdon, much occupied with practical duties. He had led the cavalry in the suppression of the rebellion of the North, and had repeatedly commanded a fleet even before his appointment as lord admiral. His name is familiar as the commander in chief of both army and navy during the Armada, and before the end of Elizabeth's reign he was to hold for

[1] Sir Harris Nicolas, *The Life and Times of Sir Christopher Hatton*, 478–9.

The tradition of his personality and his policy were however carried on by his ultimate successor, Robert Cecil, the younger son of Lord Burghley. The office of secretary was perhaps the one of greatest personal responsibility under the crown. Instructions to foreign ambassadors necessarily reflected his personality. There were many cases in which he must write or speak in the queen's name and yet without specific instructions, himself taking the responsibility for his action. He must take the same responsibility for certain kinds of expenditure. Considerable sums of secret service money were put in the hands of Secretary Walsingham, "to be by him employed in such causes of her majesty's service as are appointed him, without charge or anie accompte to be laid uppon him for the same." Davison, long Walsingham's colleague, was "broken" by the queen's refusal to accept responsibility for her orders for the execution of Mary transmitted by him. In the discourse on the secretary's office, written by Nicholas Faunt, long a servant of Walsingham in 1592, the "uncertaintie of his imployment" is referred to, and Cecil later wrote a pamphlet on "The State of a Secretarie's Place and the perill," in which he pleaded that the "prince and secretary must trust one another." [1]

In 1588, Robert Cecil, though already brought into contact with the government by his connection with Walsingham, and marked out by his parentage, temperament and training for political service, was still a very young man. He was but four years older than Essex and was ten years younger than Ralegh. He had however always been precocious. Weakly in health, little more than five feet in height, slightly deformed, keen-visaged, quiet, intellectual and observant, he was as well fitted for the statecraft as he was ill suited to the gallantry of Elizabeth's court; and to statesmanship he devoted himself with all the assiduity of his father and all the political sagacity of Walsingham. Although less

[1] Read, *Walsingham and Burghley in Queen Elizabeth's Privy Council*, Eng. Hist. Rev., xxviii, 42; P. R. O. *Docquet, Signet Office*, Dec. 4, 1589; *Harleian MSS.*, cccliv, 34-5; *Nicholas Faunt's Discourse*, Eng. Hist. Rev., xx, 500.

learned he was more alert in mind than Burghley, more cautious and inscrutable than Walsingham. His youth and rival claimants prevented his appointment as secretary on Walsingham's death, though he did much of the work of that position without holding it in name. He was knighted and admitted to the privy council in 1591, formally named as secretary in 1596, succeeded his father as master of the court of wards and liveries in 1598, and became lord treasurer in 1603. His older brother Thomas, who inherited Lord Burghley's title, but neither his abilities nor his industry, was given offices of a distinguished but not so responsible nature. As it was said at the time, "The Old Lord Treasurer's witt was, as it seems, of Borrowe Englishe tenure, for it descended to his younger sonne Sir Robert." [1]

Cecil, like Walsingham in his later years, was the only principal secretary, although in earlier times there had been a second. There was however a secretary for the Latin tongue, Mr. John Wooley, an able and influential minister and member of the privy council. He was followed by Sir Thomas Smith, a still better known man. There was also a secretary for the French tongue, a position held successively by a Flemish father and son, Nicasius and Charles Yetswiert, and later by Thomas Edmunds, but this was an office of far less prominence and significance.[2]

Duties in some respects analogous to those of the secretaries, though of less importance than those of the principal secretary, were performed by the clerks of the signet. On them, especially on William Windebank, at this time first clerk of the signet, devolved the irksome duty of obtaining the formal signature of the queen, or permission from her to affix the seal to letters, appointments, grants and warrants. Elizabeth's indecision, unreasonableness and moodiness often made this a most arduous and responsible post and one that taxed Windebank's patience and persistency, as it did that

[1] G. A. Tressler, *Die Politische Entwickelung Sir Robert Cecils bis zu Tode Lord Burleighs.*

[2] Rymer, *Foedera*, Vol. vii, i, 172–3, Vol. ii, 75.

of his superiors, to the utmost. For instance, on December 17, 1588, late in the evening, Windebank writes from the court at Greenwich to Walsingham, "I have according to your trust imposed in me this night at six of the clock (for sooner I could not) procured her majesty to dispatch the letter to the count of Newenar touching Deventer and the rest, and do send the same herewith with the copy thereof. At my first presenting of this letter her majesty stopped me from my speaking of any other, for she complained of want of sleepe and unquietness, whereof I sayed I was sory, and therefore wold not trouble her majesty, although I had sundry things committed to me by your honor for dispatch of poor sutors, her majesty's own servants and others, which nevertheless I hoped her majesty would sign before Christmas; whereunto her majesty answered 'God forbyd else.' But I replyed that I feared she could not sign them by reason of her souden remove, . . . I did of purpose cast out these words of her remove to sound whether her majesty contynued her purpose therein." Three days afterward he can only report that the queen is not yet willing to sign anything more, "and so told me." He promises Walsingham to try again the next afternoon. At other times he had better fortune. November 3, 1590, he wrote to Burghley, "The Queen's Majesty hath been pleased this morning to passe a long hour and more in the hearing of Mr. Bowe's letters red unto her," and then gives the instructions which the queen orders him to transmit to the lord treasurer and lord chamberlain.[1]

The four clerks of the privy council, William Waad, Thomas Wilkes, Anthony Ashley and Daniel Rogers, were so frequently intrusted with duties of an important nature, either interviews with foreigners in England, missions abroad, the charge of important administrative negotiations or service as commissioners in various cases, that their position was, like Windebank's, analogous to that of the secretary, and they were all men of ability and training.

Certain departments of government had come down from

[1] *State Papers, Dom., Elizabeth*, ccxix, 31, ccxxxiv, 3.

an earlier period as traditionally a part of the court, and their officials and servants were regularly on the salary list of the queen's household, although the work was certainly not done at court. The clerks of the star chamber, of parliament and of the market, the officers of the admiralty, the ordnance, the armory, the mint and the public works were of this kind. The duties of the first four will come into consideration later. The mastership of the ordnance, an office which gave employment to more than a hundred surveyors, clerks, artisans and grooms, was in 1597 conferred upon the earl of Essex, and the lengthy and detailed instructions given him by the queen at that time were apparently intended to raise it to an unwonted prominence. The mint was then as now situated just outside the Tower, and its busy master, some twenty subordinate officers and forty or fifty coiners, were an object of admiration and interest to at least one foreign visitor. The armory and the works, with some sixty employees, had their headquarters at Greenwich.[1]

Such were some of the personalities and such was the group of ministers, officials, nobles, gentlemen and ladies, attendants, servants, dependants, soldiers, musicians, clerks and menials that made up the immediate circle within which the queen lived. It included altogether some fifteen hundred men and women. The higher members of this body shared with the queen in the work of government. They were the occupants of the highest offices of state, served on important commissions or embassies, took command in military and naval expeditions, attended parliament and held office as lord lieutenant, sheriff or justice of the peace in the counties. The great number of the courtiers, however, were simply attendants on the queen. Although it is true that the court and the government were indistinguishable, yet the prevailing characteristics of the court were those of a domestic establishment. It was in some respects a great family.

[1] Peck, *Desiderata Curiosa* (ed. 1779), i, 62–3, *Cal. State Papers, Dom.*, 1595–7, 381, 403; *State Papers, Dom., Elizabeth*, ccxxi, ccxxxv, 9; *Journal of the Duke of Stettin*, 1602, Trans. Royal Hist. Soc., vi, 17.

A number of its members were related to the queen. Lord Hunsdon and Sir Francis Knollys were, as has been stated, first cousins of Elizabeth, one by blood, the other by marriage. The four sons of Sir Francis Knollys, Sir William, Sir Thomas, Sir Robert and Sir Francis and his daughter Lettice, all courtiers, were therefore close connections of the queen. Essex, through his mother, was her second cousin by marriage. Lord Buckhurst, Lord Howard, Lord Derby and the earl of Worcester were also of the queen's kinship, and Sir John Perrott, if rumor and trick of physical feature could be relied on, was nearer than any, being her own illegitimate half-brother.[1] There were many intermarriages. The second wives of Burghley and lord keeper Bacon were sisters. Three ladies closely connected with the court, Frances Walsingham, Lettice Knollys and Penelope Devereux, by their numerous marriages and marriage intrigues served to bind a considerable number of the courtiers in more or less decorous bonds of relationship or affinity. The first married successively Walter, earl of Essex, Robert, earl of Leicester, and Sir Christopher Blount; the second married first Sir Philip Sidney, secondly Robert, the younger earl of Essex, and thirdly, Sir Francis Bacon; the third was long enough in love with Sir Philip Sidney to inspire some lovely sonnets, but married first Lord Rich, and secondly Charles Blount, Lord Mountjoy, by whom however she had several children before their marriage, and who was her mother's brother-in-law. She and her mother were therefore sisters-in-law through their second and third husbands respectively. Of the prominent courtiers of the earlier part of the reign, three, the earl of Leicester, the earl of Pembroke and Sir Henry Sidney each married three times, and several others twice. The third wife of Sidney was the earl of Leicester's sister.

The marriages of Elizabeth Throgmorton, the wife of Ralegh, Dorothy Devereux, the wife of Sir John Perrott, Elizabeth Vernon, the wife of Southampton, Lettice Knollys, the second wife of Leicester, and several other court ladies followed in each

[1] Naunton, *Fragmenta Regalia*, Arber Reprint, 43.

case upon a scandal, and scandals were not always followed by marriage. But social, political and property influences were quite as often the basis of marriage as passion. The proceedings of the privy council and the letters of the queen, as well as other records, testify to the existence of many unfortunate and long-continued quarrels between husband and wife which had their origin clearly in the mercenary basis of the union. On the whole Elizabeth had some reason for her well-known deprecation of the marriages of her courtiers, though her habit of roughening the course of true love was itself not without responsibility for many of the troubles and scandals of her reign. Several of the marriages also that have been referred to as making her courtiers doubly and triply related to one another were quite without blemish.

A natural result of the family relationships among the courtiers was a large amount of nepotism. Sons and nephews of men in office were naturally favored. Just as a considerable number of those who held office in the early years of Elizabeth were descendants of men who had been in her father's service, so their descendants were now coming into office and the Tudor bureaucracy bade fair to become hereditary. Thomas and Robert Cecil, at this time young courtiers on the high road to promotion, were, as has been noted, sons of Lord Burghley, and Anthony and Francis Bacon were his nephews, as well as sons of the old lord keeper Bacon. Essex was introduced at court by his step-father, Leicester. The Blounts, Careys, Knollys and Howards of the younger generation were sons of the ministers who have already been described.

These relationships and instances of favoritism combined with influences of temperament and interest to group the men surrounding the queen into factions. These showed themselves sometimes in the council, but more frequently outside. The Cecils and Howards against the friends of Essex, the Norrises against the Knollys, Sir Walter Ralegh against his rivals, and many other factions and temporary intrigues divided the courtiers, fretted the queen, and weak-

ened the government. The greater ministers for the most part rose above these quarrels, but they played a conspicuous part in the routine of court life and increased in bitterness in the later years of the queen's reign. Elizabeth's court was not characterized by high-mindedness or appreciation of the more delicate sentiments of life, and if actual violence and disorder were repressed, and if there was less open immorality than in some of the other courts of Europe, it was nevertheless filled with petty jealousies, conflicts and intrigues.

The court was a privileged body, privileged by some antiquated but still real legal exemptions, privileged by its social position and means of enjoyment, and privileged in the special opportunities its members had to share in lucrative offices and other sources of gain. Its members from the highest to the lowest were continually on the watch for such opportunities and constantly asking and obtaining favors from the queen and from their official superiors. Elizabeth's grants rarely took the form of ready money or direct gifts. An appointment to office, a promotion to a more lucrative office, the ultimate reversion of an office, an antiquated sinecure, a grant of confiscated lands, a monopoly of the licensing or sale of some article of import or manufacture, a gift of part of the fines to be collected from some offender, — such made up the treasury from which the queen rewarded her courtiers and to which they looked with constant eagerness. The greater positions were great financial prizes. A contemporary diarist says, "The office of the lord keeper is better worth than £3000, of the admiral more, of the secretary little lesse." [1]

Pluralism was an accepted practice. Lord Hunsdon, as has been said, was at the same time lord chamberlain and captain of the band of gentlemen pensioners. He held also the keepership of the game of Hyde Park. Sir Thomas Heneage was vice-chamberlain and chancellor of the duchy

[1] Read, *Walsingham and Burghley in Queen Elizabeth's Privy Council*, Eng. Hist. Rev., xxviii, 37–50; *Manningham's Diary*, 191.

of Lancaster. John Wooley, who was already Latin secretary, was in 1588 made chancellor of the order of the Garter with a salary of £100 a year and all fees due on the death of Amyas Paulett, his predecessor. Burghley was at the same time lord treasurer and master of the court of wards and liveries. The docquet of the signet office gives a monthly list of grants, large and small. These are in the vast proportion of cases made to courtiers. It is astonishing what petty offices and slender additions to income were thankfully received even by great nobles and gentlemen. The earl of Warwick was master of the buck-hounds with a fee of £50 a year, the earl of Huntingdon of the hart-hounds with a fee of £13, 6*s*, 8*d*. Ralph Bowes, one of the gentlemen pensioners, was master of the queen's bears, bulls and bandogs, and after his death this position was given to John Darrington, another gentleman pensioner. A letter writer reports to his friend, "Here is much jostling and suing for places in the privie chamber, by reason that most of them being growne old and wearie of waiting would faine bring in a successor, as Mr. Killiegrew, his sonne, Sir Thomas Gorges his cousin Ned, Sir Edward Carie, his sonne Phillip." There is equal struggling in the lower ranks for the offices of sergeant of the pantry and of the poultry, clerk of the kitchen, groom porter, sergeant of the hawks, and taker up of spaniels. Just as some great courtier may be fortunate enough to obtain a pension of £100 a year for life, so Andrew Rose in September, 1589, is granted six pence a day for life for filling the office of her majesty's mole taker.[1]

A well-known lawyer and courtier, Sir Julius Cæsar, after several years of serving and waiting in various laborious but poorly paid positions, in 1587 showed his faith in his deserts and his many-sided capacity by begging the queen to give him either, first, land in reversion worth 100 marks a year to be held for forty years; or, second, the first deanery that should

[1] *Ordinances of the Royal Household*, 256; *State Papers, Dom., Elizabeth*, ccxxxiii, 68; *Cal. State Papers, Dom.*, 1591–4, 238, 429, 1595–7, 397, 1598–1600, 79; *Chamberlain's Letters*, Oct. 31, 1601, 120; P. R. O. *Signet Office, Docquet.*

fall void, either of York, Durham, Bath and Wells or Worcester; or, third, the mastership of the first hospital that should be vacant, either St. Katherine's, St. Cross or Sherborn; or, fourth, the first vacation of the provostship of Eton College; or, fifth, to make him a master of requests extraordinary. He was naturally disappointed when the next year the queen with all this latitude of choice, decided to give him the last, which was an unpaid office.[1] His fortunes, however, rose later. Other men wasted their life, their substance, their spirits in long waiting, and never succeeded in obtaining favors adequate to their needs, or even to the lowest grade of their hopes. Spenser, notwithstanding his £50 pension and his grant of lands in Ireland, spoke evidently from personal experience when he wrote:

"Full little knowest thou that hast not tride,
What hell it is in suing long to bide:
To loose good dayes, that might be better spent;
To wast long nights in pensive discontent;
To speed to-day, to be put back to-morrow;
To feed on hope, to pine with fear and sorrow;
To fret thy soul with crosses and with cares;
To eate thy heart through comfortlesse despaires;
To fawne, to crowche, to waite, to ridé, to ronne,
To spend, to give, to want, to be undonne."

There is no more common note in Elizabethan literature than the injustice, the caprice, the cost and the hollowness of court favor. Even so fortunate and so self-contained a man as Sir Robert Cecil writes to Sir John Harington: "Good knyght, rest content and give heed to me that hathe sorrowed in the bright lustre of a courte, and gone heavily even on the best seeminge faire grounde. . . . I know it bringeth little comforte on earthe, and he is, I reckon, no wise man that looketh this waye to heaven." [2]

In appointments to the higher offices and for more responsible service, Elizabeth took ability into consideration, though

[1] Lodge, *Life of Sir Julius Cæsar.*

[2] *Mother Hubberd's Tale*, lines 895–905; Harington, *Nugae Antiquae* (ed. 1804), i, 345.

the element of capricious preference was always present, constantly weakened her policy, and in several cases had calamitous results. The grant of lesser positions, pensions and rewards was governed by favoritism and personal influence alone. Leases of royal manors and forests, licenses for exportation of prohibited goods, forfeitures and such profitable advantages were all alike treated as favors for courtiers. Such grants were regularly procured by officials of the privy chamber and by the various secretaries and clerks, and regular payments were made to them for the service. Sometimes they obtained additional payments. For instance, Windebank obtains for Lady Bridget Askew the reversion of a valuable estate for which she agrees to pay the queen a certain sum each year and £300 at the time; the latter sum is then handed over as a gift to Windebank. Sometimes this practice verges closely upon bribery. On the death of Sir James Crofts, comptroller of the household, in 1590, Sir Thomas Shirley somewhat shamefacedly asks Burghley to use his influence with the queen to obtain this office for him, and adds, "My thankfulness to your lordship shall be £500, besyde my everlasting servyce which I am already bound to do your lordship, . . . for I see that those which doe not offer themselves in this world are seldom advanced. I blushe indeed to make this motyon, but that I trust so much in your lordship's favor toward me." Another suitor raises his offer from £200 to £300 for an office in the exchequer. But the whole practice of payments for office was an ambiguous one, as it long remained.[1]

[1] *State Papers, Dom., Elizabeth*, ccxxxiii, 68, ccxlii, 50; *Cal. State Papers, Dom.*, 1581–90, 420, 1591–4, 8.

CHAPTER IV

THE USAGES OF THE COURT

THE size and complexity of Elizabeth's court might seem to require that it should remain stationary in some one place. It was on the other hand, notwithstanding its cumbrousness, distinctly a peripatetic body. After a few weeks, or possibly months of stay at one of the queen's palaces, the court was broken up and moved to some other, according to her judgment or whim. No one of Elizabeth's habitual dwelling places was more than twenty-five miles from London; those most frequently occupied, Greenwich, Whitehall, Oatlands, Nonesuch, and Richmond were in its immediate vicinity. Among these shifting was constant.

On such occasions the work of the harbingers began. Among the prominent court officials were a knight harbinger, four ordinary harbingers and thirty yeomen of the crown who acted as messengers. It was the duty of these officials to go ahead to the place where the court was to be established, and secure in the vicinity of the palace lodging for all court servants and officials who could not be accommodated in the queen's own house there. Nowhere of course could the palace itself furnish living room for all. Ministers of high rank, ladies and personal servants must however be accommodated in the queen's house or court proper. A list of the year 1574 shows some sixty-five persons lodged within the court. Such lofty personages were provided for and distributed to their rooms by the gentlemen ushers of the court under the control of the steward, lord chamberlain and vice-chamberlain. It was often difficult to provide such lodgings. For instance in April, 1594, lord chamberlain Hunsdon writes to Sir

Robert Cecil expressing his regret that the secretary and his wife are so ill lodged at Greenwich, but explains that he has now "written to the usher that now that my daughter Scroope comes away, you and your lady shall have that lodging, and for more surety let my lady your wife tell my daughter that I will her to deliver the key of her lodging to my lady your wife, which I am sure she will willingly do." [1] The vast number of those attached to the court must in some way be housed outside. The town of Richmond, Greenwich or Westminster, which had lain quiet and half-deserted since the last stay of the queen there, was now to be inundated with a horde of officials, servants, suitors and hangers-on, and it was the work of the harbingers to distribute lodgings among these, to issue billets for them, and to see that no one not having some proper connection or business with the court should be admitted into any inn or lodging-house in the town where the court was established.

From the August days when the Armada was momentarily expected till the 20th of December, 1588, the court was continuously at Greenwich, the queen simply going up over two nights and the intervening day to Somerset House in London, for the thanksgiving ceremony at St. Paul's. Then the court removed to Richmond and remained there through January, 1589, subsequently visiting Whitehall, Nonesuch, Oatlands and Richmond before the end of that year. The spring and early summer of the year 1590 the queen spent at Greenwich. These two years were typical. More than half of Elizabeth's time during the greater part of her reign was divided between the three palaces on the Thames nearest to London, Richmond, Whitehall and Greenwich. But some part of almost every summer or autumn she spent at either Oatlands or Nonesuch, where the riding, hawking and hunting through the lovely Surrey parks, woods and downs were a continual delight to her.

The stay of the court in any place was much valued by the

[1] *Ordinances and Regulations of the Royal Household*, 251; *Cal. Hatfield House MSS.*, iv, 504; *Lansdowne MSS.*, xviii, 73–4.

inhabitants. John Norden, in his description of the city of Westminster, written in 1592, says, "The first and principall meane then whereby their habilities are increased and their estates mayntayned is her majestie's residence at Whytehall and St. James, whence if her Majestie be long absent, they begin to complain of penury and want, of a harde and miserable worlde. And therefore do the people in manner, in generall, seem to powre forth daylie petitions in their common conference, that it might please God to send her Majesty to one of theis places. Having her highness presence they rejoyce, they tryumph, they flourishe, and they thryve, some by victualling, some by lodginge courtyers, some by one meanes, some by another; they are all glad, and fare well. And noe doubt but they coulde wishe in their hartes that Whytehall were her Majestie's common abode. But alas, what then shoulde other places that stand upon lyke termes doe? Therefore hath her highness a gratious consideration to visit theis places, *alternis vicibus*, and as it were, by turne as muche for the comforte and releefe of all as for her highness owne pryvate pleasure."

In such towns as Westminster there was abundant room for the followers of the court, but in some other places the accommodations were not so satisfactory. A foreign visitor in 1592 found the queen and court at Reading and describes a very different scene. "The country in the vicinity of the royal court is for the most part flat and sandy, and because few succeed in finding accommodations at an inn, they erect tents under which they sojourn, thus presenting the appearance of an encampment." Another traveller describes a similar scene at Oatlands, "where the common servants of the court had set up their tents like a military camp, there being not enough lodgings." [1]

Arrangements having been made ahead, the court was broken up, the better furniture, tapestries, utensils and treasures packed, leaving little but bare walls during the absence of the queen, wagons were impressed from the ad-

[1] Rye, *England as Seen by Foreigners*, 14, 89, 93.

joining country for the removal of all the impedimenta, and all these things were carried off across country to their next destination, as many as three hundred or four hundred of the two, four or six horse carts of the time making up the procession. London alone was required at one time to provide two hundred carts, each with two horses, to carry the effects of the court from Whitehall to Greenwich. A regular assignment of a number of carts for each official and each branch of the household was made by the lord steward on August, 1589: eighteen were allowed for the wardrobe of the beds, fourteen for the jewel coffers, eight for the robes, three for the cellar, ten for the kitchen, three for the scullery and so through the various offices; seven were assigned to the lord steward, five each to the lord treasurer, chancellor and secretary, four to the treasurer of the chamber; some of the court ladies had two carts apiece, some one, some had to share one between them; the musicians, the chaplains and the queen's steward had one each. The sight of such a train streaming along the roads of Kent or Surrey or through the streets of London would give a fairer impression of the patriarchal character of the queen's establishment than any verbal description, and might well need the explanation of Heywood's Prologue,

> "I come but like a harbinger, being sent
> To tell you what these preparations mean." [1]

The great concourse of persons permanently attached to the court or temporarily following it was a constant difficulty. A proclamation of 1594, issued from Hampton Court, declares that great numbers of wandering persons haunt her majesty's court. Some of them are Irishmen "not meaning any good toward her Majesty's person"; others are vagrants pretending to have suits to the queen, but really watching for opportunities to commit thefts, others pretend to be servants of courtiers,

[1] *Diary of the Duke of Stettin, Trans. Royal Hist. Soc.*, vi, 51; Harrison, *Description of England*, in *Holinshed's Chronicle* (ed. 1807), i, 328–332; *Remembrancia Rolls*, ii, 262; *Lansdowne MSS.*, lix, 43; *A Woman killed with Kindness.*

or are in reality such servants, but are improperly kept by them. It was ordered that no person not in the employ of her majesty about her court, in the employ of some member of the privy council, or of a lord, lady or gentleman attending on the queen, should come near the court. If anyone should desire to present a suit to the queen or the council he must present it to one of the masters of requests and then depart within twenty-four hours. It was made the duty of the knight marshall of the court, the porters, the masters of requests and the knight harbinger to see that this restriction was enforced, to report weekly to the privy council on their success in excluding improper persons, and to commit offenders to prison. When epidemics appeared efforts to keep out intruders were redoubled. All who had had the sickness or whose houses had been infected were ordered by printed proclamations posted at the street corners in London and elsewhere to remain away from court. Courtiers were forbidden at such times to go to London and return. If they left the court they must remain away.

In 1595 an officer at London, with the prevailing dread of poison, reports to the lord keeper that he had recently arrested the wife of a certain man suspected of being a spy and traitor, and says, "She has come for her husband's release and has twice tried to present petitions, once at Somerset House and again at Greenwich. I warned the lord chamberlain that they should be poisoned and twice dismissed her from court. She lodges with Garatt the queen's shoemaker; it is fearful for such a person to have opportunity to touch anything that comes near Her Majesty's person." Only three classes of persons could legally come to court, those employed there, suitors bearing special permission from the master of requests, and servants or courtiers regularly listed. But the attendants at the court shaded off so gradually through various officials, servants of officials, and servants of these servants, through mere temporary visitors at the court and their followers and servants, and through suitors to the queen, to the councillors and to nobles and gentlemen attached to the

court, that it remained a hopeless task to include all those who had the right of access and to exclude all others.[1]

Communication between the court and the outside world was kept up partly by the constant coming and going of courtiers and special messengers, partly by a corps of some thirty "standing postes." These posts or messengers, established in regular localities under a master of the posts, a position held at this time by Thomas Randolph, formed the embryo of the modern post-office system. Their cost to the government was only about £800 a year and their services were strictly limited. As letters or packages were given to one of the posts with the traditional superscription "For her majesty's special affairs. Post haste! Haste post! With speed! Haste for life!" or some variant of this formula, he galloped off to the next post, so passing his packet on from post to post to the court, wherever it might be, or from the court to its destination. But even letters superscribed with such dramatic appeals took more than a full day to reach the nearest points on the coast, and news from the Scotch border came through the posts usually only in about twelve days.[2]

In addition to the standing posts, special posts were laid whenever the queen went to any new place. All through her reign the queen's sojournings at her own palaces were varied by such occasional visits to the houses of distinguished persons within easy reach and by more extended "progresses" through one or another section of the country. During these later years of her life, however, these progresses were neither of the length nor the brilliancy of some of those of her earlier years. She now preferred leaving most of her court behind her while she went to dinner or to spend a day or two at the house of Burghley at Theobalds, or of

[1] *Dyson's Proclamations*, 118, 312, 318, 320, 324, 327; *State Papers, Dom., Elizabeth*, ccxlvii, 66, ccli, 25; *Hatfield House MSS.*, iv, 514; *Lansdowne MSS.*, ciii, 317.

[2] *Cal. State Papers, Dom.*, 1598–1600, 259, 489, 541; Housden, *Early Posts in England, English Hist. Rev.*, October, 1903; Edward Arber, *The Story of the Pilgrim Fathers*, 73–86.

Hatton at Ely House, or of Walsingham at Barn Elms, or of lord keeper Puckering at Kew, or of Francis Bacon at Twickenham, or elsewhere. Nevertheless in the autumn of 1591 she made a progress as far as Southampton, stopping a few days or a week at each of a number of country houses, and giving occasion for floods of congratulatory verse and unending processions of symbolic pageantry before she got back to Richmond in the middle of October. Such progresses were occasions of much popular interest, and scarcely one failed to obtain its chronicle in the shape of one or more descriptive pamphlets. In 1592 the queen visited Oxford again after an interval of twenty-six years, and spent six days in an interchange of Latin addresses and an endurance of academic functions that must have given renewed zest to the frivolities of ordinary court life on her return. This progress was extended as far as Bath, and included visits to Sudely, Bisham, Rycote, and other houses in the south.[1]

The last three years of Elizabeth's life were a restless period, and summer progresses were talked of every year and occasionally carried out, though seldom further than through one or two counties nearest her own permanent dwelling places. So much movement was not popular with her courtiers, but when some of the older attendants complained, she gave them leave to remain behind and took younger servants with her. Nor was a time of progress a time of saving for the queen, notwithstanding the expenditure lavished upon her by her hosts. The costs of transportation were considerable and most of the expenses of the court went on even during her journeys.[2] There is no evidence of economical, political or other ulterior motives in such visits. But the change, the loyalty and ingenuity displayed in entertainments, the classical and literary allusions, the flattery, the show and the gifts

[1] Nichols, *Progresses of Queen Elizabeth* (ed. 1823), iii, 80–100, 129, 144–160, 180, 252; *Acts of the Privy Council*, xxiii, 129, 150.

[2] *Chamberlain's Letters to Dudley Carleton*, 146, 150; *An estimate of increase of charges in the time of progress which should not be if her Majesty remaineth at her standing houses within twenty miles of London*, *Lansdowne MSS.*, iv, 17b, xvi, 107–9.

all pleased the queen and made her cling to the practice to the last. In 1602 we find her still planning a progress, but it proved to be scarcely more than a roundabout journey between two of her palaces.

Whether on progress or settled at Greenwich or Richmond, whether on public occasions or in the routine of the court, Elizabeth was always the queen. Daily and nightly ceremony, state and formality held sway. It was not the precise and pompous ceremony of a later day; like all else, court ceremonial was still inartificial. But it was none the less real and extreme. When the queen visits a country house its mistress receives her at the threshold "moste humbly on her knees." When the House of Commons visit her at the close of the session they kneel during her long address. We have already seen the queen as she appeared to one foreigner who saw her in her court at Greenwich, all who spoke to her kneeling until she raised them with her hand. Another traveller, visiting England in 1585, describes the nobles kneeling on one knee while they conversed with her, and men and women falling on their knees as she passed. Elizabeth loved this abasement of manner. The duke of Stettin who visited her in 1602 records "At last the queen to show her royal rank ordered some of the noble lords and councillors to approach and they in their stately dress were obliged to remain on their knees all the time the queen addressed them."

We get a glimpse of this court ceremony in a contemporary account of the events at Whitehall on Sunday, April 22, 1597. It was St. George's day and ten lords of the order of the Garter were present at court. When they attended morning service in the chapel, where Dr. Bull played and the gentlemen of the chapel sang, each lord on his entrance and departure made three obeisances to the empty seat of the queen. An hour afterward all the lords appeared again in the chapel with the officers of arms and awaited the queen. She appeared, her train carried by the countesses of Warwick, Northumberland and Shrewsbury. The earl of Bedford carried her sword and six of the pensioners carried a canopy over her. Proces-

sions of clergy, displays of music and kneelings at the high altar were followed by the departure of the queen again in all state, after which the lords sat two hours and a half at supper each waited on by one of the gentlemen pensioners.[1]

Sometimes obsequiousness to the queen went so far as to rouse the ridicule of the courtiers themselves. An observer tells how "Dr. Dawson of Trinity College, Cambridge, preaching at Paul's Cross, November 14, 1602, kept on his velvet night cap all the while he prayed until he came to name the Queen, and then off went that too; when he had spoken before both of and to God with it on his head." Some noblemen and gentlemen could ill brook this servility, and systematically stayed away from court to avoid it. This was true of Lord Willoughby, of whom Naunton says, "He was none of the reptilia and could not brook the obsequiousness and assiduity of the court." Sir John Perrott was notoriously averse to courtly ways, and risked disgrace when he was lord deputy in Ireland by speaking in rude and unseemly terms of the queen. Essex ventured still further by showing disrespect even in her presence. In the midst of a discussion when Howard, Cecil and Windebank also were present, Essex became so impatient at the queen's insistence on views of which he disapproved that he suddenly and rudely turned his back on her. Her resentment took the characteristic form of a prompt box on the ear of the presumptuous courtier and an adjuration to go and be hanged. Essex in turn put his hand to his sword, and although immediately stopped by Howard, declared with an oath that he would not put up with such an indignity if it had been Henry VIII himself who had inflicted it, and rushed away from the queen's presence and the court. This was an extreme case; but Essex showed frequent impatience of the necessity for such submissiveness. He declared of the queen that he would "never serve her as

[1] Nichols, *Progresses* (ed. 1823), iii, 109; Rye, *England as Seen by Foreigners*, 88, 105; *Diary of the Duke of Stettin, Trans. Royal Hist. Soc.* vi, 53; Hawarde, *Les Reportes del Cases in Camera Stellata*, 75; *Journal of Sir Roger Wilbraham*, Camden Society, *Miscellany*, x, 15–16.

a villain or a slave," and asks "Cannot princes err? Cannot subjects receive wrong?" [1]

But exaggerated forms of humility on the part of subjects were not peculiar to Elizabeth's court or reign. They existed in quite equal degree under the sovereigns that preceded and immediately followed her. They were in fact a reflection of the high position of the king or queen in the state. The sixteenth century was not a time of philosophizing on questions of political theory. "The divine right of kings" was a formula promulgated in very different surroundings from those of Queen Elizabeth's court. But "the divinity that doth hedge a king" was a conception of this epoch and a natural one to the men that surrounded Queen Elizabeth, however some of them might resent the manners that accompanied it. The real power of the crown, suited to the requirements of the time, strengthened by the political gifts of Henry VII and Henry VIII and not yet weakened by the personal deficiencies of James and Charles, was at its height under Elizabeth, and strong enough to flourish even under her but moderate powers of administration. The government could readily press soldiers into the army and ships and sailors into the navy, collect forced loans on privy seal, regulate legislation on matters of religion, suspend established law and custom in individual cases, intrude into private life and action at every turn, control the expression of opinion and punish with a quick and heavy hand any suspicion of treason, and yet retain the loyalty of all classes of the people. Of this almost autocratic government the queen was the embodiment. It is no wonder that she claimed and was yielded extreme deference and almost unquestioning obedience.

She had no doubt of her own powers. We see her drawing up the points of the speech the chancellor was to read in parliament and that which the lord keeper was to deliver to the

[1] *Manningham's Diary*, 84; Naunton, *Fragmenta Regalia*, Arber Reprint, 42–3; Camden, *History of Elizabeth* (ed. 1688), 553; Devereux, *Lives of the Devereux, Earls of Essex*, i, 500.

judges; we hear her declaring to a deputation from the Hanse cities that privileges granted to subjects by the grace of princes can be withdrawn by them; she claims to be as absolute a monarch as the king of Spain, and to have as ample if not a greater power within her own dominions than he in his; she grants dispensations from the statutes of colleges and the laws of the realm. When she was displeased with something in Holinshed she "vehemently envayed against the chronicle to be fondly sett out," and prohibited its further circulation till these parts were amended. She forced Hakluyt in a second edition of his Voyages to suppress the commendatory notices of Essex that had appeared in the first. She referred frequently to her "royal prerogative."

It is true that among statesmen there were divergent opinions from these; and especially as the queen's reign drew toward its close, private discussions of the possibility of other forms of government took place. The records of the privy council and star chamber testify to not infrequent criticism of actions of the queen, and "the right of the subject" was already a familiar expression. It was said in 1598 that some people wished England to be governed after the queen's death "as one of the popular Italian states," and in 1602 there was a rumor that England would govern itself by estates, "as they do in the Low Countries." But so long as Elizabeth lived she was ruler in her realm and mistress in her court.[1]

[1] *Cal. State Papers, Dom.*, 1591–4, 557, 1595–7, 32, 100, 218, 240, 254, 268, 480, 506, 1598–1601, 138, 521, 1601–3, 176; Hawarde, *Les Reportes del Cases in Camera Stellata*, 21, 52, 68; Camden (ed. 1627), ii, 141.

CHAPTER V

THE PRIVY COUNCIL

ALTHOUGH the will of the queen was beyond question supreme in all matters of government not clearly legislative or strictly judicial, and although her will was freely expressed, and when expressed always obeyed, yet in the ordinary work of government her personal participation was but slight. It was the privy council that, speaking in her name and exercising all the plenitude of her power, carried on the actual work of government. It was this body that solved the problems of administration as they arose, that in most cases initiated new projects and in all cases made provision for their execution. During the reign of Elizabeth the privy council consisted of some eighteen or twenty members. They were for the most part the great ministers of government and officials of the queen's household. In 1588, Sir Christopher Hatton as lord chancellor held the most distinguished position. The gray head of lord treasurer Burghley was as conspicuous in the council as it was elsewhere where the work of government was being carried on. Secretary Walsingham was of course a member, as was John Wooley, Latin secretary. Derby, Hunsdon, Heneage, Knollys, Fortescue and Croft, holders of the great household offices, were all privy councillors. The duties of lord admiral Howard took him much away from court, especially during these years of armaments at sea, but he was nevertheless an influential privy councillor and when he was not on sea service attended the meetings of the council faithfully. John Whitgift, archbishop of Canterbury, was the only clergyman in the council, and attended with commendable regularity.

Usually there were a few members of the privy council appointed to this service alone and holding no other regular

office under the crown, or none that would make membership in the council especially suitable. Lord Cobham, warden of the Cinque Ports, and the earl of Warwick, master of the ordnance, were members of the council on account of their personality, probably, rather than because of their offices. Lord Buckhurst was a privy councillor and a very regular attendant but not an official, until he first became lord high butler and then succeeded Lord Burghley as treasurer in 1599. Sir John Perrott also was sworn a member of the privy council on his return from his service as lord deputy of Ireland in February, 1589, and attended regularly till his downfall two years later. Sir Robert Cecil became a member of the council in August, 1591, four years before he became secretary. The earl of Essex, master of the horse and favorite of the queen, was sworn councillor in February, 1593. Death was busy among the councillors during the later years of the queen's reign and as Walsingham, Burghley, Hatton, Essex and Cobham died, Lord North, Sir William Knollys, Sir John Puckering, Sir Thomas Egerton, Sir John Popham, and Dr. John Herbert were appointed successively to occupy their offices and to fill the council.[1]

Of the eighteen or more councillors it was seldom that more than eight or ten attended any one meeting, and business was not infrequently carried on by four or five. The queen herself never attended the meetings of the privy council, though its members had constant opportunity to know her wishes concerning the matters that came before them, and her direct commands were frequently presented through one or another of their body. Since the duties of most of the officials and courtiers who made up the council required their constant attendance upon the queen, its meetings were necessarily at court or in its immediate vicinity. The council therefore shared the peripatetic life of the whole royal establishment, holding its meetings at Greenwich, Richmond,

[1] *Acts of the Privy Council*, xvii, 184–5, xx, 19–21, xxv, 3–4, 511–12; Murdin, *Burghley Papers*, 797; Tressler, *Die politische Entwickelung Sir Robert Cecils*, 56–7.

Oatlands, Nonesuch or elsewhere, and even following the queen on her progresses. At her regular dwelling places special provision was made for its accommodation, and a keeper of the council chamber had the pleasing duty of keeping the meeting place clean and ready and provided with "boughs and flowers," for which he received a salary of ten pounds a year. Regular appropriations were also made for provision of its pens, ink, paper and other clerical necessities, and occasionally for cushions and other comforts. The council chest, with its records, memoranda, reference and minute books made a cumbrous part of the impedimenta of the court. Occasionally the privy councillors hastened up to London or Westminster or gathered at the house of one of their number, for a special meeting, and sometimes, when there was sufficient reason, the queen conformed her own movements to the needs of her councillors by taking up her dwelling in some special one of her palaces, so that they might meet at a place convenient to them.[1]

Early in the reign of Elizabeth the rule of the council had been to meet on Tuesdays, Thursdays and Saturdays, at nine o'clock each morning, with afternoon meetings and extra sessions when necessary. But the steadily increasing pressure of business had led to almost daily meetings, including Sundays, frequently both in the morning and afternoon. From October 1, 1590 to October 1, 1591, for instance, the council met on forty-seven out of the fifty-two Sundays. Still there was great irregularity and occasionally a whole week seems to have intervened between meetings.[2] Each member of the council took a formal oath, at the time of his admission, "to be a true and faithful counsellor to the queen's majesty as one of her Highness' privy council." In addition to the usual promises of officials to serve, defend and watch over the person, honor and interests of the queen, the oath laid special stress on the secrecy to be maintained toward

[1] *Acts of the Privy Council*, viii, 75, 98, 126, 219, 277, 369, x, 203, 265, xvi, 11, xvii, 318, xxi, 325, xxvii, 8; *Lansdowne MSS.*, lix, 43.

[2] *Acts of the Privy Council*, vii, 33, 267, 306, viii, 180, xvii, 1–150.

outsiders in all matters which should come within the knowledge of any councillor or the council as a whole. The walls of the council chamber were not, however, quite impermeable, since the foreign ambassadors seldom had much difficulty in learning what took place within them. The reports of the discussions there which were sent home by the Spanish ambassador give an insight into the character of the councillors not to be derived from the official records, and seem to justify the observation of a contemporary critic, "There were of the Queen's Councell that were not in the Catalogue of Saints." [1]

Of the industry of the council there can be but one opinion. It performed a mass and variety of work that is most impressive. Subjects varying in dignity from the highest matters of state to the most trivial affairs of private life occupied its attention. At the same time that the fleet and the army are being prepared by the council to meet the Armada, efforts are being made by the same body to settle a family quarrel between the widow of a rich London citizen and her two marriageable daughters on the one side and a certain Sir Robert and Lady Conway who are trying to marry these two young ladies to their two sons on the other. On the same day that instructions are drawn up for the commander of the English army in France and for the governor of the Island of Guernsey, the mayor of Bristol is written to about a case of piracy, and relief is promised to a poor woman who claims she has been cheated by one Symon Musket. At one time the drainage of the fens is provided for, at another a dispute between two factions in a provincial town is decided, at still another the vice-chamberlain is authorized to give twenty pounds to the "Queene's Players for twoe enterludes shewed before her Majestie on St. Steven's Daie and Shrove Sundaie last." Often there is a long list of matters of im-

[1] *Oath of Earl of Salisbury*, Dec. 12, 1571, *State Papers, Dom., Elizabeth*, lxxxiii, 33; *Acts of the Privy Council*, xviii, 76; *Cal. State Papers, Spanish*, 1580–86, 59, 249; Read, *Walsingham and Burghley in Queen Elizabeth's Privy Council, Eng. Hist. Rev.*, xxviii, 43; Naunton, *Fragmenta Regalia*, 230.

portance attended to at one meeting, at another time there is merely such a record as, "The marchantes of the Levant that trade with the Strayghtes were before their lordships," or "Their lordschypps sat on Frensch affairs." [1]

In all this great variety of duties there are two main divisions, the "causes that concerne her Majesty and the State of the Realme," and "private matters." It was to the first of these, affairs of public interest, that the privy council naturally gave the greater part of its toil and attention. Organizing defensive and offensive operations against Spain, providing the troops and supplies which the queen so reluctantly agreed to send to the Netherlands and France, equipping troops to contend against chronic rebellion in Ireland and drawing up regulations for the orderly government of that country, sending communications to officials of all grades in all parts of England, — such public functions required constant action and this action was regularly taken by the whole council, not by committees or by the various ministers acting separately, to whom it has been more usually relegated at other periods. The obscure division of the members of the council into parties holding divergent views on questions of religion and internal and external politics has been traced through other sources of information, but it has left small impress on the recorded actions of the council, which represent apparently unanimous decisions.[2]

The attention of the council was especially directed toward the outlying parts of the queen's dominions. The affairs of the central and southern shires were left largely to the care of their local officials, except for quite unusual events; but the northern counties, the Scotch borders, the Welsh marches, the Channel Islands, and Ireland were in a special sense its care. The local regulation of the affairs of these remote regions was given more specifically, as will later be shown, to

[1] *Acts of the Privy Council*, xvi, 50, etc., xvii, 109, 112, xviii, 253–6, xxx, 332.

[2] Read, *Walsingham and Burghley in Queen Elisabeth's Privy Council*, *Eng. Hist. Rev.*, xxviii, 24–58.

certain special bodies, but the hand of the privy council itself was never withdrawn, and indeed this control was especially provided for in more than one statute. It was due to this custom that the administration of the affairs of the colonies, when England came to have colonies, became quite naturally a special function of the privy council.

A still larger part of the attention of the council was constantly devoted to the prevention or punishment of disorder throughout England itself. The turbulent behavior of soldiers and sailors enlisted or impressed for service, or discharged after their return, the concourse of "loose and masterless men" in the already congested city of London, news of wrecking on the coasts, the wandering of rogues, idle or vagrant persons up and down the country call forth the frequent action of the privy council in various forms, or its authorization of special measures of investigation, prevention or punishment. The search for the authors of the Martin Marprelate libels, the oversight, imprisonment and prosecution of Catholic recusants, and the constant watchfulness for sedition made even greater demands on its industry, ingenuity and powers.[1]

Among the powers of investigation exercised by the privy council the most sinister was its use of torture. No court of common law or equity, no official or governing body in England, save the council alone, could make use of this means of obtaining testimony or forcing confession. It cannot be said that the council used its odious powers very frequently or otherwise than with restraint. Burghley claims that the council always charged the wardens to use this procedure "in as charitable a manner as such a thing might be," that none were subjected to it except when it had been found by former testimony or confession that their guilt was practically certain, and that it was always inflicted "slowly, unwillingly and with many persuasions to tell the truth without being tortured."[2]

[1] *Cal. State Papers, Dom.*, 1598–1601, 425; *Acts of the Privy Council*, xvii, 45, 89, etc., xviii, 108, 239, etc., xix, 54, 168, etc.

[2] *A declaration of the favorable dealing of her Majestie's Commissioners appointed for the examination of certain Traitours*, London, 1583.

Nevertheless the rack in the Tower and both the rack and the manacles in Bridewell prison were always a possible and frequently an actual means of "bolting out the truth" from accused culprits or recalcitrant witnesses. For instance, in September, 1588, an Englishman named Winslade captured on one of the ships of the Spanish Armada was taken from Newgate to the Tower, a letter being sent by the council at the same time to the lieutenant and four London magistrates giving orders "for the examination of the saide Winslade upon the Racke, using torture to hym at there pleasure." But in this case, as indeed in most cases, it was ineffective, for after his experience on the rack, and after fifteen months' imprisonment and repeated examinations Winslade continued firm in his declaration that he had been pressed into the Spanish service and knew nothing about the invasion. He was therefore discharged. There were other cases in which treason or some other great state offense was suspected, as of William Thomson, who was charged in 1597 with attempting to burn the fleet, and whom the attorney general, solicitor-general, Francis Bacon, special counsel of the crown, and one of the secretaries of the council were ordered "to cause to be put to the manacles or the torture of the racke, as in like cases hath bin used, thereby to force him to declare the truthe and circumstances of his whole intent and purposes herein." Many cases were of a less political character. It was ordered that pirates should be sent to the rack if they would not disclose their accomplices. The search for the writers and publishers of the Marprelate tracts gave occasion for several instances of the use of the rack and the manacles. Torture was even used for as familiar purposes as forcing to confession a man suspected of theft, for the examination of some gypsies who had been apprehended in Northamptonshire, for the discovery of certain Oxfordshire rioters, and for bringing to confession some men who had set up a libellous placard in London.

Of all instances of this procedure however the examinations of the Catholic recusants have left the saddest and cruellest

record. From 1580 onward more than a score of men suspected of being seminary priests or their abettors, or otherwise engaged in Catholic propaganda, were sent to the torture. A certain London lawyer, Richard Topcliffe, was regularly utilized by the council in these examinations and obtained a wide and unenviable reputation as a "torturer." Another London lawyer, Richard Young, was so frequently appointed for such purposes, along with the law officers of the crown, that when he was instructed to use his customary examination at Bridewell, the name of torture had no need to be expressed more fully. In 1591 the fanatic William Hacket was, in a savage order, sent to the manacles and other torture at Bridewell, in the effort more fully to discover his purposes and his companions. The next year an Irishman, Owen Edwards, suspected of some treasonable practices was removed from the Marshalsea to Bridewell to be put to the torture. Occasionally the lower officials who were authorized to make the examination were ordered by the council simply to lead the culprit into the presence of the instruments of torture, hoping to bring him thereby to confession without its actual use.[1]

Busy as the council was about public matters, its duties were made far more arduous and its powers far more extended through its attention to private petitions and complaints. These appeals came directly to the council or were made to various ministers or to the queen herself and were referred to it for attention. A chance preserved list of matters to be considered at the meeting of the council of November 30, 1589, contains twenty-five items, and includes petitions from prisoners in various jails in England and abroad, from officials and inhabitants of various towns, from merchants, from the

[1] *Cal. State Papers, Dom.*, 1581–90, 646, 1591–4, 297; *Acts of the Privy Council*, vii, 373, x, 373, xiii, 37, 172, 249, xvi, 273, xvii, 310, xviii, 62, 387, xix, 70, xxi, 300, xxii, 40, 42, 512, xxiii, 340, xxiv, 222, xxvi, 10, 325, 373, 457; Marsden, *Select Pleas in the Court of Admiralty*, ii, lxxvii; Camm, *Lives of the English Martyrs*, 5, 243, 385, 433, 447, 467, 483, 507, 550; Jessopp, *One Generation of a Norfolk House*, 146.

judge of the admiralty and several others.[1] The variety of private appeals of this kind defies classification. They extend all the way from a discharged waiting woman begging the interposition of the council to secure payment of her wages, to two great noblemen petitioning the council to settle a controversy concerning their inheritance. The council, wide as were its interests, felt itself compelled to do something to diminish this constant flow of private business. At a meeting at Richmond, October 8, 1589, a body of rules was adopted which were not only directed to this end but explain so much of the procedure of government that they may well be quoted here in their entirety.

"Whereas by reason of the multitude of private suiters resorting daylye to her Majesty's Privye Counsaill the Lordes and others of the same are continually so troubled and pestred with the said private suitours and their causes as at the tymes of their assembling for her Majestie's speciall services they can hardly be suffred (by the importunity of the said suiters) to attend and proceed in suche causes as doe concerne her Majesty and the state of the Realme, the said suites and causes being for the moste parte of suche nature as either have ben determined in other Courtes, or els suche as ought to receave hearing and triall and order in the severall Courtes of Justice or of Conscience within the Realme ordained for those purposes. Their Lordships therefore considering the inconvenience and hinderaunces growing to her Majestie's services commonly interrupted by geving audience to suche private suiters, and that manie tymes the Judges and Justices of sundrie of the Courtes aforesaid, to whome the ordering and determyning of manie of the said suites doe properly and naturally appertaine, doe thereby finde cause of offense as derogating the laufull authority of the said Courtes and places of judgement. For these consideracions their Lordships this date, uppon good deliberacion, ordered and decreed that from henceforth no suche private causes or suites which by due and ordenarie course of lawe ought to receyve their

[1] *State Papers, Dom., Elizabeth*, ccxxviii, 34.

triall and determinacion in anie of her Majestie's Courtes of Justice or Conscience, or in anie Courte in corporate townes (where by charters suche causes ought to be heard and determined), should be receaved and admitted to be hearde and determined by the said Privie Counsell, and if anie suiters shall at anie tyme hereafter resort either to her Majestie's Principall Secretarie, or to the Clarke or Clarkes of the Counsell for the tyme attendaunt, or to the Counsell Bourd, as unacquainted with this Order, whose causes shall manifestly appeare to be of suche kind as is aforesaid, that every suche suitor and cause shalbe addressed and directed either by her Majestie's Principal Secretary or in his absence from the Courte by anie two of the Counsell, or when the Counsaill shall not be assembled, then by one of the Clarkes of the Counsell then attendant, either to the Lord Chancellour or Masters of the Court of Requests (if the order thereof ought to be had in waie of equity by course of those Courtes), or to suche other Courtes of the Common Lawe or Courtes of Equity or the Courtes for her Majestie's Revenue, where the said causes are properly determinable." [1]

The council promises, however, still to listen to any suitors who complain that they have been denied justice in other courts, and they still encourage private information of any treason, conspiracy or danger to her majesty. A similar order was issued, less than two years afterward, June 27, 1591. But there was even yet no conspicuous decrease in the number of private cases brought before the council. Many suitors were influential personages or the servants of such, and the instincts of the council itself inclined it to the extension of its influence and activities. It was loth to lose any opportunity to magnify its office, and so continued to take up nearly every case brought to its attention. Not two months after the first of these orders it is to be found taking up a case that certainly might have been referred to a common law court. This was a dispute between two captains concerning a debt. The council referred it to two of its members, and required

[1] *Acts of the Privy Council*, xviii, 181–3.

the party decided against to pay fifteen pounds to the other, under penalty, if he refused, of imprisonment, "for his contempt in disobeinge this theyr Lordships' order." [1]

The response to an appeal to the privy council might therefore, as indicated by its order, be a reference of the suitor to some one of the existing courts of law or equity, but in a great proportion of instances the council kept the matter in its own hands. A letter of summons was directed to one or both the parties concerned to appear before the council. A messenger was sent with the summons, and whether nobleman, merchant, or yeoman he must appear. If the council was not ready to attend to the matter immediately he was obliged to give bonds to remain within reach until he was wanted, or in many cases he was sent to prison to await further summons. Such compulsory attendance or temporary imprisonment was burdensome and expensive and in itself a form of punishment. John Hawarde, a lawyer who was summoned before the council at Greenwich in May, 1600, on suspicion of having been too helpful to the earl of Essex, then under imprisonment, and who was fortunate enough to receive an early hearing and clear himself readily, had nevertheless to pay to the clerk of the council fifteen shillings for having his appearance recorded and thirteen shillings and fourpence for his bonds, and to the messenger who had brought him six shillings and eight pence a day and four pence a mile for the journey, making a total expense of two pounds fifteen shillings. Men summoned to attend the council were often kept many days or weeks awaiting its convenience, sacrificing their means in the payment of expenses at an inn or the fees of the Fleet prison. Sir Robert Rogers, February 19, 1583, calls the attention of the council to the fact that he has already been fifteen weeks in attendance upon them. Recusants and other suspected persons were often kept months and even years dangling attendance on the council, which intentionally postponed a final investigation of the charges against them. Gerald Aylmer, in August 1592,

[1] *Acts of the Privy Council*, xviii, 259, xxi, 240; *Cal. State Papers, Dom.*, 1581–90, 625.

pleads that he has already been kept fourteen months in attendance, and begs to be allowed to return to his native county and see his aged mother before her death. There had been earlier instances of still more prolonged detention, as the case of Sir Amyas Paulet, required by Wolsey as a punishment to remain in attendance on the council for a period of more than five years, and who lived in the Middle Temple all this time.[1]

When on the other hand the council's action was intended to be a pure matter of alleviation, the dispute, complaint or petition was either settled immediately or referred to some one or more of their own number acting outside of their formal meetings, or to certain officials or courtiers, to justices of the peace in the locality from which the complaint came, or to some other persons given special authority to settle the matter or prepare a report on it for the council's action. In fact the largest part of the business of a personal character that came before the privy council was actually performed by commissioners acting under its authority and reporting to it the results of their efforts. The council felt free to call upon any official, or in fact any member of the gentry or the well-to-do classes to perform unpaid services of this kind, and a number of men attached to the service of the government in various minor capacities were kept almost constantly at work in such duties.

Five clerks of the council, Ashley, Beale, Rogers, Waad and Wilkes, were at this time engaged in the service of keeping its records and carrying on its correspondence, each of them receiving a salary of twenty-five pounds and fees. They were sworn and trusted officials and were frequently detached from this service to go on diplomatic or other confidential missions. Nevertheless their clerical labors are still to be traced in their own handwriting in the volumes of records and transcripts of correspondence that make up the register or "Acts of the Privy Council" of this period, as we now have

[1] Hawarde, *Les Reportes del Cases in Camera Stellata*, 112; *Acts of the Privy Council*, xxiii, 119; Cavendish, *Life of Wolsey* (ed. 1890), 14–15.

them. It is from these registers that most of our knowledge of the organization and activities of the privy council is drawn and to which we owe also a very considerable part of our knowledge of the general history of the time.

For its uses in sending out orders, letters and messages, serving summons and making arrests the council had at its disposal the messengers of the queen's chamber. Of these there were forty or more, and there were none too many. Occasionally as many as twenty at a time were sent in all directions to the various county officers, or to noblemen, officials or towns, or on messages of summons to individuals. When possible those who were summoned were required to pay the fees of the messengers; in cases of a more public nature the messengers were remunerated from the household treasury. These varied functions of the council were expensive as well as burdensome. Whether the expenditure fell upon the individuals summoned or upon the queen's treasury itself, payments were constantly being made of many scores of pounds. The expense of an arbitration by a commission in 1591 is £73, 10*s*; payments to messengers and others for such routine work in the same year ran up to many times that sum. In the year 1592 a minor official is paid at one time more than a hundred pounds for expenses. For purposes of temporary imprisonment the council as well as several other courts and branches of the government made use of the Fleet prison, situated on the Thames near London bridge. The warden of the Fleet and his deputies were therefore frequently summoned by the council to receive or to deliver prisoners and were provided with special orders to all other officers to assist them in their difficult task.[1]

If an attempt be made to distinguish the functions of the privy council into the different departments of government, the great part of its public work will be recognized to be of an administrative or executive nature. On the other hand, the frequent meetings and limited authority of parliament

[1] *Acts of the Privy Council*, xxi, 356, xxii, 194, xxiii, 122, xxv, 92–3. xxx, 306–18, 435–40.

during this period left in the hands of the council the opportunity, often the necessity, for regulations so extensive as to be almost legislative in their character. Of such a nature were the council's public definition of what articles should be counted as contraband of war, their provisions in 1589 for the creation of the new office of provost marshal and the many regulations established during this period for the government of the Scottish borders.[1]

Some of the public business and many of the private cases that came before the council, moreover, approximated a judicial character. Purely judicial action was seldom taken by the council. They deliberately declare that they have no right to impose fines. Their attitude is well described in some memoranda drawn up by one of their number at this period. "Cases," he says, "between party and party are seldom heard particularly, but rather ended by overruling an obstinate person, who is made to acknowledge his fault, or else the parties are remitted to some court of justice or equity or recommended by some letters to some justices in the county to compound the differences either by consent of the parties or by direction. If it be matter of title the lords refer it to the queen's learned counsel and recommend the same to the judge's care. If there be some suits to the queen of poor men, then do the lords endorse their petitions with their opinions and recommend the dispute to the Secretary, or for the poorer sort to the Masters of the Requests." In other words, they do usually one or other of two things, either exercise a sort of compulsory arbitration by putting pressure on the party they consider at fault to yield to his adversary, or else remit the matter to the ordinary courts. It is true, on the other hand, that their powers of personal summons and arrest, of indefinite retention under bonds or in the Fleet, of harsh examination, rising occasionally to the use of torture, all provided them with means of enforcing their judgment, even without, in name, either imposing fines, inflicting corporal punishment or formally deciding questions of the law of contract or property. The

[1] *Ibid.*, xvii, 447–450, xviii, 222–225, 236, xxiv, 103–106.

council seldom gave a formal judicial decision or directly ordered the punishment by imprisonment, fine or bodily suffering of anyone for an offence committed; yet it constantly in practice gave, directly or through persons appointed on its authority, decisions in controversies between individuals, and enforced its decisions by arresting and holding recalcitrant parties till they yielded to its requirements. There are but few instances recorded of absolute refusal or effective avoidance of obedience to such behests of the council.[1]

With the mass and variety of recorded activity before us it is not hard to picture this group of six, eight, ten or more officials gathering almost daily at the "Counsell Board," at whichever one of the queen's dwelling places she might be living, or occasionally at the house of one of their number, or even assembling more formally and for certain necessary occasions at Westminster. In fact a clear though not very amiable picture is left us of the council as they sat at the Tower, somewhat earlier than this, in the autobiography of Edward Underhill, one of the gentlemen pensioners, who was summoned before it. The earl of Bedford sat at the head of the table, the others along its two sides, except for Lord Wentworth and another chatting in a window. Another glimpse of a meeting is preserved in the correspondence of Scaramelli the Venetian ambassador, who appeared before the council at Greenwich, April 7, 1603, and describes the eleven councillors sitting on long benches on each side of a table.[2] Nor is it hard to realize the effectiveness of their control over the country. They were men of the highest dignity and consideration. Their information was obtained from a vast number of personal statements and letters being constantly received from all parts of the queen's dominions. Their power was exercised by direct personal action or by a continuous series of instructions and commissions given to members of their own board, to other officials or to persons especially appointed. These appointees

[1] *Ibid.*, xix, 380–382; *State Papers, Dom., Elizabeth*, cclxxiv, 118.

[2] *Narratives of the Reformation*, Camden Soc., 139; *Cal. State Papers, Venetian*, 1592–1603, 567.

acted at London, Westminster or other parts of the country, or in fact wherever subjects of the queen might be, even abroad. The council was untrammelled by strict precedent or binding rules of procedure or by any well ascertained and acknowledged limitations of its power. It possessed at the same time the absolute authority of the sovereign over her subjects and a minute knowledge of their affairs. The same Venetian ambassador remarks, "These lords of the council behave like so many kings." [1] Few governmental bodies in any period of the world's history have exercised a more extensive, arbitrary, detailed and ubiquitous power than the group of officials who gathered at the council board of Queen Elizabeth.

[1] *Cal. State Papers, Venetian*, 1592–1603, 567.

CHAPTER VI

THE STAR CHAMBER

THERE were still other means in the possession of the councillors for carrying on the work of government. It has been pointed out that certain private matters of dispute or complaint were settled by them by quasi-judicial action. There were some, however, of a more purely judicial and usually of a criminal character, which were still kept within the hands of the council for settlement, but which were reserved for certain special meetings devoted entirely to judicial business. These special meetings formed the court of star chamber. On Wednesdays and Fridays during term time, and usually on the day after the close of each term, the privy council met, not at any one of its usual assembling places, but at Westminster, in the ancient hall known as the star chamber. Term times, or the court terms, were the four periods in the year when all the courts at Westminster held their sessions. On January 23 began Hilary term, continuing three weeks; then after the spring vacation came Easter term, of about the same length. Trinity term covered another period of three weeks, falling in June or July, according to the date of Easter. Then, after the long vacation, which extended through the remainder of the summer and early fall, began Michaelmas term, the longest of the year, opening on the ninth of October and lasting seven weeks.[1] During these four periods the appearance of Westminster hall and its surroundings was transformed. The usual torpor disappeared, and judges, men of the law, suitors, witnesses and all those drawn by their interests into this concourse thronged

[1] Sir Thomas Smith, *De Republica Anglorum*, Book II, chap. ii (ed. 1906), 69; Harrison, *Description of England* (ed. 1807), i, 305.

the old buildings and adjacent streets. The courts of law and equity each had its place of sitting in the great hall or in some adjacent building, and the councillors likewise gathered in the semi-weekly meetings of the court of star chamber.

The star chamber was one of that confused group of halls, court-rooms, galleries, chambers, passageways and chapels that had grown up during the preceding centuries about the old palace of Edward the Confessor. It was situated at the extreme southeast corner of the group of buildings, just above the present abutment of Westminster bridge. Its eastern windows overlooked the Thames and those on the west looked out on Old Palace yard. It was reached either directly from the yard, or from the great hall by going up a stairway on the left of the entrance, through a long gallery and over St. Stephen's cloisters. It was built about 1347 and was known from the time of its first construction by the name "star chamber," or as it appears more commonly in the early records, "starred chamber," "camera stellata," or "la chambre esteillée." The origin of its name is only a matter of inference. It was taken doubtless from some peculiarity of structure or ornament, possibly a ceiling decorated with stars, just as other parts of the old group of buildings, the white hall, the painted chamber, Marculf's chamber, the king's oratory or the bell tower were named from some characteristic of their origin, appearance or use. Star chamber included two parts, the main hall and the inner star chamber opening from it. It survived until 1836 when with some adjacent buildings it was torn down, a tablet in the wall of parliament building now marking its former location.[1]

In this room, as has been stated, on every Wednesday and Friday during the terms the members of the privy council assembled. In Christmas term of 1588, for instance, there were six star chamber days, in Easter term eight, in Trinity

[1] Ralph Aggas, *Map of London and Westminster*; Stow, *Survey of London* (ed. 1908), ii, 119; Baildon, *Accounts of the Clerk of the Works*, in *Les Reportes del Cases in Camera Stellata*, 453–462; Brayley and Britton, *Ancient Palace of Westminster*, 442, 462–3; Smith, *Antiquities of Westminster*.

term six, and in the long Michaelmas term sixteen, making thirty-six sessions of star chamber in the year.[1] Closely occupied as they were with their other duties and with attendance on the queen, a considerable number of councillors, quite as many as attended their usual meetings, were present at these times. The difference between the council board, or ordinary meetings of the privy council, and the court of star chamber was not a difference of men but a difference of time and place of sitting, of procedure and above all of functions. The council board met wherever the sovereign was, throughout the year, in frequent sessions. It became the court of star chamber when on two days weekly during some sixteen weeks in the year its members betook themselves to Westminster and sat in star chamber for judicial purposes. The privy council in its usual form had its five clerks who recorded in the council book all its proceedings, except those done when it was organized as the court of star chamber. For these proceedings there was a separate clerk and a separate set of entries and records. The council board exercised a general, widely extended administrative power, with occasional incursions into the legislative and judicial fields; the council at its meetings in the star chamber was a court of justice with a settled body of legal precedents and practices.

In addition to the privy councillors there were regularly summoned to the meetings in star chamber the chief justices of the courts of queen's bench and common pleas, or some other justices of the law courts in their place. As a typical session may be taken that of January 30, 1594, in the second week of Hilary term, when the court consisted of Sir John Puckering, lord keeper of the great seal, archbishop Whitgift, the earl of Essex, the earl of Nottingham, Lord Buckhurst, Sir Thomas Heneage, Sir John Fortescue, Sir Robert Cecil and chief justices Popham and Peryam, ten persons in all. The number present, however, varied from five or six to twelve or even fifteen members. The attorney general was

[1] *Lansdowne MSS.*, lviii, 140.

usually present although only as an adviser or prosecutor not as a member of the court. The addition of the judges to their membership and the presence of the principal law officer of the crown was a great convenience to the councillors. Technical points of law were often referred to these judicial members for decision and they freely volunteered their opinions on such points. Occasionally they were written to by the council before a star chamber session and asked to look up the law on certain matters about to come up there, or consulted as to whether a case could come up before the council or must be relegated to star chamber. The council at its regular sessions often got into deeper legal waters than it felt safe in and was glad to put off something "to the next star chamber day, when some of the judges shall be present to give their opinions upon certain points of the controversy." The judges felt this higher judicial respectability of the star chamber due to their presence even more strongly. In 1589 when one of them was himself attacked before the council he drew up a declaration of the reasons why the cause against him "ought to be publiquelie herd in ye Starrechamber." In it he declares, "My Lords and others of her Majesty's counsell for the most parte have not study or judgment of lawe and but smalll experyence of lawe, to dyscusse what ys an offence of lawe and what not, unles they be assysted by the Judges and the Quene's learned counsell, as in the Starr Chamber."[1]

On the whole, however, in the actual work of the court, there was but little difference made between the judges present and the privy councillors proper. The tone of superiority which the former might have been expected to take because of their expert knowledge of the law was neutralized by the fact that they were not actual members of the council but only called on to participate because of their possession of this knowledge. The cases that came before the court being criminal, not civil, the councillors felt no special modesty in

[1] Hawarde, *Les Reportes del Cases in Camera Stellata*, 7, 38, 41, 67, 80, 118; *Acts of the Privy Council*, vii, 154, 164, 169, viii, 234; *Lansdowne MSS.*, 59, 41, 54, quoted in Scofield, *Court of Star Chamber*, 43.

the presence of their legally trained coadjutors, as they might have done if the questions involved had demanded a more technical knowledge of the common law. The fact that not infrequently the two judges differed with one another and with the law officers of the crown on such questions as did come up may have helped the judicial self respect of the councillors.

It is evident, however, that self-reliant as the councillors were, the presence of the judges in their number on star chamber days had much to do with their conception of themselves as a court of justice. At other times, the council board restricted itself, with some exceptions, to general forms of discipline. In its sessions in star chamber, on the other hand, well established precedent, and in some cases statute law, had given it a power of punishment extending to all lengths short of the death penalty, and a jurisdiction limited only by its own will. In 1598 the court at a full session made a ruling that if any official or any subject of the realm should misdemean himself in any manner, the court of star chamber had power to examine and punish him. In the star chamber, as elsewhere, it was still the queen's privy council, but it was the privy council reinforced by an element that added appreciably to its sense of judicial regularity, and strengthened by old tradition, by a settled form of legal procedure, and an unbounded pride and assurance of power.[1]

At the meetings of the court of star chamber the lord chancellor, or keeper of the great seal when there was no lord chancellor, was the presiding officer. All the other councillors, even though they were noblemen or prelates of the highest rank, as well as the assisting justices, awaited his coming before entering the room and taking their seats. Lord Chancellor Ellesmere had the distinction during twenty years of never failing to be ready and present at the usual hour of opening the court awaiting the other councillors in the inner star chamber. The great seal and the chancellor's mace were carried before him, he wore his hat even when he spoke in court, though all other councillors removed theirs, he sum-

[1] Hawarde, 3, 98, etc.

moned the judges who should take part in the star chamber sessions, he chose the attorneys who should be permitted to speak before the court, he directed the whole progress of suits, he closed the series of sentences and in case of a tie he gave the deciding vote. For these services in star chamber he received a special addition of £200 to his salary as lord chancellor.[1]

The "clerk of the council in star chamber" held a position only second to that of the councillors themselves. His position was, according to a contemporary writer, "the beste Clarkeship of this lande." He or his deputy sat in the star chamber to attend to routine business on days when the court was not sitting, and on days when it did sit he wore his velvet gown and participated in many of the responsibilities, honors and privileges of the members of the court. His salary was, it is true, only twenty-six pounds yearly, with certain perquisites in the way of liveries and dinners paid for by the treasury, but his fees from suitors made his position as lucrative as it was conspicuous. The postponement of appointment to this office, due to the longevity of Mr. Mill, its incumbent, was one of the many early disappointments of Francis Bacon. Since Mr. Mill had, in 1589, already held the office for seventeen years, Bacon believed there would soon be a vacancy and succeeded in obtaining from lord treasurer Burghley the reversion of the office, from which he hoped to obtain £2000 a year. But it was not till nineteen years had passed away, and until under another sovereign Bacon had already begun his progress of rapid promotion to much higher office that he finally obtained this lucrative position also. Mill was an influential as well as long-lived official but pushed his pecuniary claims so far as to rouse long continued opposition before the court and in parliament, and to be accused of abusing and "polling" her majesty's subjects.[2]

[1] Hudson, *Court of Star Chamber*, Pt. I, Sect. 6; Rymer, xvi, 541; Peck, *Desiderata Curiosa*, Vol. 1, ii; *State Papers, Dom., Elizabeth*, ccxxi.

[2] *MS., Phila. Library, Y* 1 2, *yi*, 1176; *Egerton Papers*, 427; *Spedding*, iv, 21; Scofield, *Court of Star Chamber*, 61–66; Hudson, Pt. I, Sect. 7; *D'Ewes' Journals*, 504–505; Hawarde, 95.

Elizabeth never attended the court of star chamber. However, the royal arms, a vacant chair and the mace and purse lying before them on the table attested the dignity of the court as clothed with all the sovereign's powers. This dignity was well preserved. The court was a formal and orderly assemblage, and all speeches were made in restrained language, in the midst of profound silence on the part of all present except the one speaking. Even when as on June 11, 1602, the ridiculous matter inserted by the plaintiff in his appeal moved the laughter of the court, the lord keeper said, "Although it be good to be merrye some time, and this be St. Barnabas' daye, the longeste daye in the year, yet let us not spende the hole daye in this place with wordes to no purpose." [1]

In contrast with the regular meetings of the council board, the sessions of the court of star chamber were open to the public. The situation of the star chamber, on the extreme edge of the group of Westminster buildings, allowed ready access to all, except for the control exercised by the usher of the chamber. We hear of that official receiving profitable fees for providing convenient seats or standing room for young noblemen and gentlemen "which flock thither in great abundance when causes of weight are there heard and determined." At times, when interesting cases were to be before the court, people came as early as three o'clock in the morning to get places. The house of lords, when parliament was in session, frequently adjourned over star chamber days, principally for the purpose of allowing those noblemen who were also councillors to attend their duties there, but also doubtless to allow the lords who might be interested in the proceedings to be present.[2] There are many other indications of the publicity of the sessions. When the queen wishes to have the misdemeanors of archbishop Grindal brought to the attention of the public, he is ordered "to appeare and

[1] *Manningham's Diary*, Camden Soc. 57; Hawarde, 147; *Chamberlain's Letters*, 144.

[2] Hudson, Pt. I, Sect. 7; *D'Ewes' Journals*, 67, 68.

answere thereunto in that public place." When the councillors think certain scandalous speeches that have been reported to them should be punished openly for the sake of example, they send the matter to star chamber. The earl of Essex, in 1601, made it his first petition and looked upon it as his greatest favor that he was not humiliated by being summoned publicly into that tribunal. Sir John Smythe complained that he had been brought into a public audience in the star chamber, when he might fairly have anticipated that his case would have been considered in some more private way.[1]

The usual morning session of the court began at nine and closed at eleven o'clock. Between the morning and afternoon sessions the members of the court withdrew to the inner star chamber for an excellent dinner. For by old established custom a special dinner was served on star chamber days to the councillors and judges present, the clerk of the court and occasionally to the queen's law officers and one or more other guests. Like all forms of expenditure, the cost of these dinners was rising rapidly through the sixteenth and early seventeenth centuries. While the average cost to the treasury of such a dinner in 1500 was two pounds, at the accession of Elizabeth it was about five pounds, by 1580 it had risen to eight or ten pounds, while in 1588 it averaged eighteen pounds, and before the century was over sometimes ran as high as twenty-one pounds. The dinners on the thirty-six star chamber days of 1588 cost £622, 12*s*, and in 1590 they cost £1130. In the four years from October 1st, 1599 to October 1st, 1602, star chamber dinners cost the government £5126, 1*s*, 9*d*. Numerous itemized accounts remain. A typical menu in Hilary term, 1594, discloses a provision for fifteen diners of more than two hundred pounds of beef, eight joints of mutton, and six joints of veal, besides lamb, marrow-bones, tongue, bacon, oysters, three kinds of poultry, eight kinds of game, pastry, oranges and lemons, ale, beer and four varieties of

[1] Strype, *Grindal*, 234, 348; *Cal. State Papers, Dom., Elizabeth*, 1595–7, 422–3, 1598–1601, 351; Holinshed, 1404–05; *Chamberlain's Letters*, 77–78.

wine. This was for a Wednesday. On Friday, which was a fish day, there were for fourteen men twenty-two kinds of fish, besides lamb, veal and game, which in these post-reformation days do not seem to have been regarded as meat. All this was set out with plate, napery, perfumes and various expensive forms of service and paid for at excessive rates.[1] Much of this wholesale provision doubtless remained over and found its way as perquisites to servants and followers or as alms to beggars. Yet in making a fair judgment of the time, it is to be remembered that this gross excess, shameful waste and reckless expenditure on the part of a few favored officials extended through the very period when the queen's soldiers and sailors at sea, in France, in the Netherlands and in Ireland were dying without sufficient pay or food, when the salaries of lower officials were far in arrears, and England was losing golden opportunities to crush her enemies for lack of money to use where it was really needed. The thrifty soul of Burghley, it is true, revolted at these expenditures, as indicated by his many annotations on the accounts, and as a matter of fact the custom of dining at the star chamber was suspended for a time, though it was subsequently resumed.

Such were the time, place, constitution and principal external practices of the court of star chamber. In describing the nature of the cases that came before it, no better procedure can be adopted than that of a certain contemporary lawyer who practised before it, ultimately became its clerk, and wrote our fullest description of its activities. He says: "If on the one side I shall diminish the force or shorten the stretching arm of this seat of monarchy, I should incur not only the censure of gross indiscretion and folly, but also much danger of reprehension; and if on the other side I should extend the power thereof beyond the due limits, my lords the judges and my masters the professors of the common

[1] *Lansdowne MSS.*, i, 109, lviii, 140; Scofield, *Star Chamber Dinners, Amer. Hist. Rev.*, v, 83–95; Hudson, 42; *Cal. State Papers, Dom., Elizabeth*, 1601–1603, 245.

law will easily tax me for encroaching upon the liberty of the subject, and account me not only unworthy of the name of my profession, but of the name of Englishman. . . . Therefore to avoid all offence . . . I will declare as briefly as I can what matters are there usually determined." [1]

Following Mr. Hudson's plan it will be perceived that the cases that are usually determined in star chamber although at first sight almost endless in variety, really fall into two very general classes, first, cases of the breach of public order, secondly, cases of direct violation of royal proclamations, grants or commands. Riots and assaults, which were not very clearly discriminated from riots, were perhaps the most familiar, unquestioned and natural occasions of star chamber action. The councillor quoted before says, "If there be breach of peace the lords . . . do refer the matter to be further proceeded in the star chamber, where great riots and contempts are punished." [2] And such was their actual procedure. In 1578 at one of its ordinary meetings the council directs a letter to the authorities of Oxford saying that they have heard of a certain riotous assault there, "and forasmuche as the ryot committed is not to be passed over without due correction, their lordships thinke it mete . . . that the matter should be investigated, and sureties taken of all such as shall appeare to be culpable for their appearance before the lords the first star chamber daie of the next Terme, where suche order shalbe taken with them as shall appertaine." Justice Shallow, stung by Falstaff's reckless beating of his men, killing of his deer and kissing of his keeper's daughter protests "I will make a star chamber matter of it: if he were twenty Sir John Falstaffs he shall not abuse Robert Shallow, Esquire. . . . The Council shall hear it; it is a riot." In earlier times riots had occupied much of the attention of the council both in and out of star chamber, but even in the comparatively orderly days of Elizabeth there were many riotous disturb-

[1] Hudson, 49.

[2] *State Papers, Dom., Elizabeth*, cclxxiv, 118; Lambard, *Archeion*, 149–224; Crompton, *L'Authoritie des Courts*, 29–41.

ances connected with hunting, with enclosures, with disputes as to the ownership of land, the use of churches and churchyards and a score of other occasions, all of which brought their harvest of complaints to the court of star chamber. Such was the case of Lord Dudley, who in 1586 gathered six hundred of his tenants and friends and drove off the sheep and cattle of a rival, or of Lovelace who in 1596 took ten men and violently released two of his followers who had been placed in the stocks by Lady Russel, or certain townsmen of Berkshire who used violence in enforcing their traditional right to kill rabbits in a certain warren in spite of the grant possessed by its owner from the queen. Young noblemen and gentlemen and their trains of followers who indulged in private conflicts found their way from the London magistrates or the Marshalsea to the council and from the council board to star chamber, where they were properly fined and otherwise punished or bound over to keep the peace. Such was the case of Ludovic Greville, who fought with Sir John Conway in 1578 and with him was subjected to salutary discipline. Such was the case of a group of young gentlemen who in July 1600 sat up in the Mermaid tavern in Bread Street eating and drinking till two o'clock in the morning and then ran through the streets with their rapiers drawn, beat the watch and uttered seditious words.[1]

The conception of riotous proceedings as being proper objects of punishment by the court of star chamber was extended to a number of other actions not technically either riots or assaults, yet in their nature, origin or accompaniments analogous to such disorders. Conspiracy, fraud, perjury, subornation of perjury, forgery, threats, attacks upon men in authority, waylaying, challenges to duels, — all shared, apparently, in the minds of the councillors the character of violence, and all were habitually punished in the court of star chamber. The law officers of the crown were especially

[1] Hawarde, 27, 34, 36, 43, 47, 49, 51, 96, 114–115; *Acts of the Privy Council*, vii, 163, 173, 176, 234, viii, 243, ix, 233, 284, 323, 366, 382, xi, 46, 67, 180, 184, xvi, 366; Rushworth, III, Appendix.

inclined to prosecute offenders against the dignity of judges or other persons connected with the courts. An angry litigant who in 1602 attempted to stab a lawyer who had spoken against him was brought before star chamber and sentenced to have his ears cut off and to be imprisoned for life. One man had his ears nailed to the pillory at Westminster for traducing lord chief justice Popham, another was sent to the pillory for saying Lord Dyer was a corrupt judge, another for writing a letter to Coke charging him with chicanery in practice, still others for writing a letter to the mayor of Wallingford charging him with injustice, and for speaking disrespectfully to the lord mayor of London in the wrestling place at Clerkenwell. Forgery was a very frequent offence; falsification of deeds, wills, leases, and such documents was constantly occurring and constantly being punished in star chamber. There was some hesitation however on the part of star chamber to take cognizance of this offence, when they could avoid it, for since 1563 a second offence of forgery was punishable by death, and was therefore beyond their power.[1]

A still less tangible form of disorder, yet one which was brought constantly into star chamber, was libel or slander. It was a period of libels. When Falstaff threatened Prince Hal and his companions, "An I have not ballads made on you all and sung to filthy tunes, let a cup of sack be my poison," it was not merely an idle old reprobate's vain speech. While the fat captain was ranting on the stage, a Sussex man was duly fined and forced to pay damages in star chamber for making up some verses about a neighbor, "Her face is long, her browes are black, her wooden heeles they are in the fault," with a scurrilous refrain, set to the tune of "Tom of Bedlam." He had not only made and copied the verses, but showed them to Mrs. Palmer as he was in her shop "buying of sugar." This was but one form of what Hudson calls the "infinite precedents" of libel. They range all the way from a case where horns were set up at the gate of a man un-

[1] Hudson, 88, 102; Hawarde, 3, 13, 21, 28, 41, 60, 88, 101, 105, etc.; *Lansdowne MSS.*, vi, 33.

happily married to the personating of the earl of Lincoln in a play; from an abusive letter written to a rival and signed "Tom-tell-Troth" to the action of a poor servant in York sent to buy a quart of wine, who stopped on his way, listened to the reading of a scurrilous paper, laughed at it, and was punished in star chamber for sharing in a libel. If a hot reformer was dissatisfied with the conservative party he "putt forth a ballet" against them. Sir John Harington makes a memorandum in his diary of his own somewhat inconsistent intention, "I will write a damnable storie and put it in goodlie verse about Lorde A. He hath done me some ill turnes. God keepe us from lyinge and slander worke." The queen's attorney declares in 1602 that there have been more infamous libels lately than in all preceding ages. Next to riot and forgery, it is more frequently punished in star chamber than any other offence. In addition to these cases of established precedent the councillors and judges in star chamber held themselves justified in punishing any offences which seemed to require public castigation for the sake of public example, and there are but few cases of prosecution before them, if any, which they dismissed for lack of jurisdiction.[1]

The other principal class of star chamber prosecutions, those intended to support royal authority, cannot always be discriminated from those connected with public order. The most frequent and most conspicuous of such actions were punishments inflicted for the violation of royal proclamations and ordinances. The privy councillors and judges had no doubt whatever of the legality of such proclamations, for it was declared at one of their star chamber sessions that "the queen by her royal prerogative has power to provide remedies for the punishment or otherwise of exorbitant offences as the case and time require, without parliament," and that such proclamations "should be a firm and forcible law and of the like force as the common law or an act of parliament." In-

[1] *Autobiography of Edward Underhill, Narratives of the Reformation*, ch. 15; Hawarde, 13, 39, 44, 52, 143, 152, etc.; Gardiner, *Reports of Cases in the Court of Star Chamber*, 149; *Nugae Antiquae* (ed. 1792), ii, 210.

deed with the deliberate intention of exalting the queen's authority and their own, they expressed their preference for prosecuting men for violating a royal proclamation even when there existed a statute prohibiting the same offence.[1]

But usually the proclamations created offences not known to the statute law. In 1580 the queen issued a proclamation forbidding any increase in the number of houses or lodgings in London, the opinion being then widely held that the population of the city was already larger than could be properly fed and kept in order. Yet rents were high, a steady influx of people was crowding still more closely the narrow streets of the city, and houses and lodgings were in constant demand. The queen's decree was therefore frequently disobeyed and as a result the violators were indicted in star chamber and punished. In 1583 and again in 1590 the lords of the council wrote to the mayor and aldermen complaining of the non-observance of this proclamation and ordering the names of offenders to be sent to them that they might be called before star chamber. The violations, however, still continued and more vigorous action followed. In 1597 several men were fined and the houses which they had recently built ordered to be destroyed and the timber sold for the benefit of the poor. A new proclamation was issued in 1598. In October, of the same year, two Londoners were charged, one with erecting a new tenement in Hog Lane and letting several rooms in it to poor tenants, the other with dividing an old house in Shoreditch in such a way as to rent it out to seventeen people. The court fined each of these landlords twenty pounds, and in accordance with the terms of the proclamation, gave permission to those who were then tenants to remain in the lodgings rent-free for the remainder of their lives, and to the authorities of London after that term to pull down the tenements and dispose of the materials as they saw fit.[2]

[1] Hawarde, 77–9, 105.

[2] *Acts of the Privy Council*, xix, 188; Hawarde, 79–80. *Harleian MSS.*, ccxcix, 95.

Similarly in 1586 and again in 1594 and 1595, the queen issued proclamations, as had frequently been done by her predecessors, forbidding the sale of grain except in open market, and requiring landowners and farmers to dispose of their grain when it was in demand, instead of hoarding it up or engrossing it. Punishments in star chamber for violation of these proclamations were frequent, and in the autumn of 1597, a time of serious dearth, a long series of prosecutions were brought and many offenders fined, ordered to stand in the pillory or otherwise punished. Somewhat later fifteen soap makers in London were fined, imprisoned and forbidden any longer to carry on their trade because against the royal proclamation that only olive oil and rape oil should be used in soap-making they had used fish oil. They had further increased their criminality by meeting in a tavern and in quite modern fashion agreeing not to sell their soap at less than a certain price. Repeated orders to country gentlemen to remain on their estates and not come to live in London or other towns were followed up by prosecution and punishment in star chamber when these orders were disregarded. Men were on several occasions imprisoned for violating the royal proclamation against duelling.

The occasional punishment in this court of those who issued unlicensed books was in the same way based on the decrees of 1566, 1569 and 1586, regulating the censorship of the press. Closely connected with the guarantee of the force of royal ordinances was the oversight of the validity of charters and protection to those holding the privileges granted by them. An instance of such action is to be found in the settlement by star chamber of the protracted disputes between certain London merchants and the German merchants of the Steelyard.[1]

The procedure of this court was similar to that of the court of chancery. A contemporary book of forms for preparing demurrers and replications draws its precedents indiscriminately from the courts of chancery and star chamber. This procedure savored far more of the Roman than of the

[1] Hawarde, 76, 79, 91, 106, etc.

common law. "The civilian's rule" was quoted with approbation by lawyers practising before it. The leading part taken in its work by the lord chancellor, and the more elastic nature of its jurisdiction and practice were all characteristic of a court of equity rather than of the common law. Forms here were declared "not to be taken so strictly as at common law." [1]

Cases came before the court either as matters of public concern or as matters of private relief or satisfaction. But whether, as in the first class of cases, the queen's attorney or, as in the second, a private man's attorney made the complaint to the court, the procedure was the same. The petition or complaint was known as a bill. It must be written on parchment and signed by counsel regularly admitted to practise before this court; and it must allege only offences properly punishable in the court of star chamber and such as the complainant held himself ready to prove. Otherwise he was in danger of being punished for bringing a false charge, which was not an infrequent occurrence. A writ of subpœna directed to the person charged with the offence required his appearance on a certain day. In earlier times this appearance was always actually before the court or the council or the lord chancellor in his own house, but by this time the appearance was made before the clerk of the court only. The defendant must enter into bonds to remain within reach of the court. He now had an opportunity to see and copy the charge against him and within eight days he must file an answer to it. This answer must, like the complaint, be written on parchment, signed by counsel and accompanied with an oath to its truth and to the defendant's willingness to answer truthfully further interrogatories upon it. Upon these interrogatories, which were prepared by the plaintiff after seeing the defendant's answer, he was examined privately by the examiner, an official of the court; neither his counsel or any codefendant being present to advise him as to his answer. Nor did he or his counsel have any knowledge of what these interrogatories

[1] Gardiner, *Cases in Star Chamber*, 97; *Lansdowne MSS.*, dcccxxx, 127–99.

were to be till they were read to him by the examiner at a private conference. He must simply answer briefly each question as it was put to him, and then sign his answers as they were recorded by the examiner. As a matter of very general favor the interrogatories instead of being put to the defendant by one of the two examiners of the court at Westminster were placed in the hands of four commissioners, two chosen by each party from a list of six submitted by his opponent. These men acting under a formal commission issued under the great seal and provided with all the papers in the case, examined the defendant privately where he lived, or at some place agreed upon by both parties, and returned their formal written report to the clerk of the court of star chamber. The plaintiff was then allowed to see the answer of the defendant to his interrogatories, and might if he wished put in a reply or "replication" to this answer, and the defendant was then allowed to file a rejoinder to this replication; and indeed a surrejoinder and rebuttal were provided for, though these last processes at the time of the greatest activity of the court had long become antiquated.[1]

The second stage consisted in the naming of witnesses by the prosecutor and defendant. The securing of testimony from these witnesses went through much the same stages as the direct testimony of the principal persons in the suit. All information was secured outside the court in private conferences between officials of the court and the witnesses, who must give their replies on oath, their testimony being written down and returned by the examiner to the court. This completed the formulation of the case. The plaintiff then entered his cause in a general book kept by the clerk and it was ready for the consideration of the court when the lord chancellor should see fit to select it for hearing on one of the next star chamber days. When the case was called it was opened by the clerk, as many of the documents as the counsel for plaintiff or defendant should ask for were read, and the

[1] Hudson, 191–2; Leadam, *Select Cases in the Court of Star Chamber*, Vol. 1, xxviii–xxxiii, Selden Society.

lawyers spoke for the prosecution or defence, and answered such questions as were put to them by members of the court.[1]

The course of procedure in star chamber was intended to be summary and inexpensive, but here as elsewhere the pleadings ran occasionally to very great length. A charge brought in 1596 against the dean of Worcester and some others, accusing them of libel, "rehearsed all their lives," asked for the examination of seventy-seven witnesses, and required one hundred and fifty-five interrogatories on one side and one hundred and twenty-five on the other. The council complains that four subsidies could have been paid by the complainant or twenty horses found for the defence of the realm at a less cost than the expense of these proceedings. Lord Burghley measured in open court a bill charging certain men with perjury. It covered four skins of parchment, and was found to be "nine foote longe." Rules were adopted for brevity, promptitude and economy, but even yet we hear of interrogatories covering four yards of parchment, cases extending over three days or more, and expenses being far beyond the proper abilities of the contestants.[2]

It will be observed that according to this regular procedure, neither plaintiff, defendant nor witnesses appeared in person before the court at any stage of the proceedings until the final appearance of the defendant at the bar at the close of the case. The whole series of proceedings, bill, answer, interrogatories, replication, rejoinder and examination of witnesses, was carried out by subordinate officials of the court and prepared by them for its consideration. It was not in consonance either with the great position of these councillors as ministers of state or with the disciplinary functions they were fulfilling, that they should come into personal contact with this multitude of offenders, or should have to consider the undigested details of the cases. Their work in the star chamber was after all a part of their work as councillors and although it had to do immediately with

[1] Hudson, 142–210; Leadam, xiv–xxxv.

[2] Hawarde, 7, 11, 54, 91.

individuals, its ultimate object was the good order of the community and the enforcement of administrative measures. Nor, as busy officials with many other duties, could they have given the necessary time for the hearing of the complaints of plaintiffs, the explanations of defendants and the testimony of witnesses.

But there was one exception to this usual procedure. Occasionally a man was apprehended, brought before some official and examined, though without oath, as to some action of which he was suspected. If he acknowledged it he was afterwards brought to the bar of star chamber, *ore tenus*, as it was called, to make his excuses or hear his punishment orally. Instances were by no means uncommon. The prosecution of offenders against the proclamations for the sale of grain were in almost all cases *ore tenus*. A Wiltshire "badger of corn" who had acknowledged his illegal practices when asked about them by the attorney general, was brought before star chamber in 1597 and ordered to be imprisoned, fined and to stand in the pillory with an empty sack in his hands and a paper on his head declaring his fault. In 1601 John Daniel, a servant of the earl of Essex, who had stolen and counterfeited some of his master's letters during the time of his imprisonment, was induced to confess it, brought before star chamber *ore tenus*, heavily fined and made to stand in the pillory. The propriety of this practice was looked upon with a certain amount of doubt even at that time, although such cases were constantly increasing in number. As a form of procedure, *ore tenus* was easily liable to abuse. A man suddenly arrested, privately and skilfully examined, overwrought, and perhaps entrapped into an unintentional and injudicious confession, then retained in custody until he was brought, without counsel, into the presence of the most dignified persons of the kingdom, was but ill provided with even such poor protection as the practice of the common law courts at that time gave to a culprit.[1]

[1] Hudson, Pt. III, Sect. 2; Coke, *Fourth Institute*, chap. 5; Hawarde, 71, 76, 79, 119–123.

The examination of the case having been completed, whether *ore tenus* or according to the more usual written procedure, the members of the court proceeded to give their sentences or "censures," as they were usually called. The councillor lowest in rank spoke first. He usually stated his opinion of the nature of the crime and of the culprit's degree of guilt, if he considered him guilty, speaking often at considerable length; and then proposed a punishment which he thought suitable to the offence. Those next above him in rank spoke in order, each speaker stating his opinion and agreeing or disagreeing with the first or suggesting some increase or diminution of the punishment. The archbishop always spoke next to the last, if he was present, and the lord chancellor last of all. There were often ten or twelve, sometimes fifteen or eighteen councillors to speak, and each usually improved the occasion not only to analyze the circumstances, and in case of guilt to express his abhorrence of the wickedness of the offender, but also to lay down general principles, quote from the scriptures, the classics or the fathers, and grieve over the evils of the times.[1]

The three characteristics of the practice of the court of star chamber that have left the strongest impression on posterity are the apparently arbitrary character of its procedure, the supposed secrecy of its trials and the severity of its punishments. The phrase "star chamber proceedings" has become a proverb for secret and inquisitorial methods, and its punishments have ever since served to illustrate the barbarity of the age in which they were inflicted. Yet the first of these characteristics has been somewhat misconceived. The procedure of this court was not more irregular than that of other courts of equity; though it took cognizance of criminal cases, which other equity courts did not, and may have seemed therefore to encroach on the domain of the common law courts. It punished offences also that the common law did not reach. The fact that men were brought before it by private prosecu-

[1] Hudson, 223; Hawarde, 8, 19; Gardiner, *Reports of Cases in the Court of Star Chamber.*

tors as well as by the public attorney, and without the intervention of an accusing jury, seemed to make it the vehicle of private malice and of official tyranny. It may at times have lent itself to such uses, but they were not characteristic of it, at least at this period. It clothed the members of the privy council with high judicial powers for the punishment of crime, but in using these powers they were still fulfilling their ordinary functions in conformity with their oaths.

A similar modification must be made in the view so widely held of the secrecy of the court of star chamber. Its sessions, as has been seen, were quite as open as those of any other court. The public were never excluded from its sessions. When in 1596 the lord keeper of the great seal ordered that the eastern side of the room below the table should be reserved for men of good account in the country and for gentlemen of the law, and be no longer pestered with "base fellows," with women, and with other suitors, as lately it had been, this was in the interests of good order, not of concealment. In all probability the tradition of secrecy originated in the nature of the examinations of plaintiff, defendant and witnesses, all of which did take place in secret, under oath, in the presence of the examiners of the court only. Unprotected by a jury, by the presence of counsel or by the rules of evidence of the common law courts, those implicated may well have obtained an impression of unfairness and technicality from these examinations, however much they were in conformity with the regular procedure of the civil law.

So it was with the punishments. No one of the forms of punishment made use of in star chamber was probably unknown to the practice of other courts, but the irregularity of the offences that came before it, the absence in most cases of definite statutory punishments provided for them, and the disciplinary element involved in the action of the court led of necessity to the flourishing of varied, bizarre and excessive sentences in the procedure of this court beyond those of any other tribunal in English history. The punishments were of three general kinds, imprisonment, fine and subjection to

public humiliation, with or without accompanying physical pains. Every case of conviction involved imprisonment as a matter of course, for a longer or shorter period according to the will of the court or the pleasure of the queen. Imprisonment for life was not infrequently ordered though probably never actually enforced. Fines were of a considerable amount, one hundred, two hundred and five hundred pounds being very usual sums. Liberal damages were habitually given to complainants injured in any of the ways of which the court took cognizance. Lord Falkland is given £3000 damages against Sir Arthur Savage for slander; Lord Savile is forced to pay £150 damages to a certain Sir John Jackson whom he found hunting in a field of disputed ownership, striking him with his sword and pushing him into a "plash of water." A man named Martin is forced to pay £100 damages to a neighbor and his wife for circulating libellous words about them.

Humiliating punishments extended all the way from requiring a cozening lawyer to confess his fault and wear a paper on his hat declaring his offence as he walked through Westminster hall, or another to ride with his face to the horse's tail from Westminster hall to Temple Bar and to be disbarred, to the most harsh and cruel whippings and suffering on the pillory. Standing on the pillory with a placard stating his crime was a form of punishment constantly imposed. A more harsh requirement was that one ear of the culprit be nailed to the pillory while he stood there. A still more severe punishment was cutting off one or both ears or branding on the forehead or cheek letters indicating the offence. "The slavish habit of whipping," as a lawyer of the time calls it, was an increasingly frequent punishment in the later years of Queen Elizabeth, and was, unfortunately, especially frequently inflicted upon women. "As to the woman, let her be whipped"; "let her be whipped in the open street"; "for Katherine, his wife, I hould her fitt to be made an example of so foule an offence, she shall therefore be well whipped at Exeter and Colehampton"; "to be whipped and confess her fault," "to be whipped at Bridewell"; "to be

fined 500 marks, to lose both his ears upon the pillory, to be whipped and imprisoned till he can find sureties for his good behavior." "to stand on the pillory at Westminster with one ear nailed, and at the assizes in Somerset with the other ear nailed, and to be fined 100 pounds," "to walk through Westminster hall with a paper on his head, and to have his eares nailed to the pillory," "1000 marks fine to the queen, 200 pounds to the plaintiff, imprisonment during pleasure, nailing in two places, to be pilloried at Westminster and whipped from thence to the Fleet," — such are typical sentences of slanderers, forgers and false swearers before star chamber between 1594 and 1600. In 1596 four men who had confessed to counterfeiting signatures of the principal members of the council to warrants were sentenced to stand in the pillory, lose their ears and be branded on the forehead with the letter "F," for forger, and then serve perpetually in the galleys. Lord Burghley suggested in this case that inasmuch as such burnings fade out in a short time, the men should be scarified on the cheeks by a surgeon with the letter F, and that some powder be put in to color it so that it would never disappear. To their credit, the other councillors did not give their approval to this barbarous proposal. Nevertheless we hear of a certain false accuser in 1595 who "after long punishment lost both ears on the pillory, was slit in the nose, branded on the forehead and condemned to further imprisonment for life." Sometimes the fanciful rather than the painful predominates in the sentences, as in the many cases of ordering men to ride with their faces to the horse's tail, or in the proposition of Lord Burghley for the further punishment of two cheats, that he "would have those that make the playes to make a comedy thereof, and to acte it with there names." [1]

The amount of money fines was graduated rather according to the need of impressing the community than in proportion either to the immediate offence or the ability of the culprit to pay it, "*ut pœna ad paucos, metus ad omnes perveniat.*"

[1] Hawarde, 19, 38, 39, 40, 48, 55, 60, 64, 104, 133.

In many cases, therefore, the amount was subsequently reduced, or probably in some cases pardoned altogether. Frequently indeed there was no choice. Those punished were so poor as to make the collection of a fine impossible. "It had neede be a hundred pounds of wool," as the lord treasurer remarked, when a very poor man convicted of forgery was sentenced to a hundred pounds fine. It was obviously futile to fine a group of workmen in London who according to their petition had "no means but their finger ends," £500 apiece. Tables still remain showing the proportionate reduction of star chamber fines in a number of cases. Nevertheless they were strictly enough enforced to place in some cases a crushing weight on those subjected to them. John Daniel, servant of the earl of Essex, whose fine of £3000 has already been mentioned, was forced to give up two good manors, a well-furnished house and all his other means of livelihood in his effort to pay this fine. One-third of it was demanded by the treasury, two-thirds had been granted to the widow of Essex, and he spent the next twelve years in unavailing efforts to obtain some amelioration of his lot. It was not till 1610 that he was granted in alleviation of his needs the somewhat cheerless satisfaction of being licensed to print and publish a pamphlet called "Danyell's Disasters, The Varyable accidents in a pryvatt Man's Lyffe," while his wife was at the same time given permission to print a companion work, "A Declaration of the fatall Accydents of Jane Danyell." The fines from star chamber formed at least an appreciable source of income to the queen. The sum actually put on the exchequer list for collection for two terms of 1596 was £1,381 and for two terms of 1598, it was £1,979. Disbarment and ejection from the Inns of Court were frequently inflicted upon lawyers, and expulsion from office was a common punishment for magistrates who came under the condemnation of the court.[1]

[1] Hawarde, 119–123, 167, 396–409, Appendix, vii; *Cal. State Papers*, 1595–7, 48; *Egerton Papers*, Camden Soc., 321–7, 357–9; Scofield, *Court of Star Chamber*, 78.

There was a visible increase of severity in the whole procedure of the court, as the end of Elizabeth's reign approached, which boded ill for its popularity in the period which was to follow. But within that reign there was no opposition, or at least none that was not a part of the suppressed antagonism of the period to the whole system in state and church of which the court of star chamber was an integral and consistent part. No protest against the principle of the court, no serious indictment of its procedure, no public sympathy with culprits who felt the heavy hand of its discipline is to be heard. The legal writers of the day speak of it in the highest terms. Camden says, "If we look to its age it is most ancient; if we look to its dignity it is most honorable." Lambard, writing in 1591, speaks of it in words that suggest the contemporary descriptions of the queen herself as "this most noble and praiseworthy court, the beames of whose bright justice, equall in beautie with Hesperus and Lucifer, do blaze and spread themselves as farre as this Realme is long or wide." Lord keeper Egerton speaks of it in 1596 as "this Court, the most worthy, high and honorable court in all Europe in this kind, repleete with judges come from the sacred side of her Majesty."

Although the very extremity of this praise suggests an attitude of defence, and a contemporary lawyer notes "how impatient the Common Man of this Realme hath always beene, and without doubt yet is and ever will be, to have his Causes determined either at the Councell Board without open hearing; or by absolute authoritie, without prescribed rule of ordinary proceeding," that is to say, in star chamber, yet the days of party struggle in which the court of star chamber was to bear its part were still in the future. In these closing decades of the sixteenth century it meets us everywhere as a normal and familiar branch of the government. More than thirty thousand cases came before it during the reign of Elizabeth. Hudson in his quotation of precedents refers to several hundred cases by name and says he could count a thousand instances of a certain kind of pro-

cedure. Its actions are quoted, prosecution before it is threatened, its punishments are familiar spectacles. Great cases and small are dealt with by it. The nobleman, the clergyman, the merchant and the peasant appear either as plaintiff or defendant. Its reputation for the granting of liberal pecuniary damages doubtless helped to swell the great number of private petitions. Its usefulness as a criminal court in their own hands led to its constant employment by the privy council. It was a most effective instrument in the work of governing the country according to the wishes of the councillors of the queen, giving them those powers of punishment and discipline which as a mere council board they did not claim and could never have possessed.[1]

Before leaving the ancient building in which this court sat, it may be well to advert to other work that was done there and with which its name at this period is closely connected. In the first place, meetings of privy council for its ordinary administrative work are not infrequently mentioned as being held in star chamber. These meetings are in almost if not quite all cases on Wednesdays and Fridays in term time. Yet their records are preserved in the privy council minute book and they are obviously not devoted to judicial business. It is to be presumed therefore that in such cases the members of the privy council simply held a meeting there to attend to general business needing attention before or after their judicial session. Again, it was not unusual for matters of a nature midway between the usual council business and star chamber business to be discussed and settled there at certain times. Important petitions were there presented and answered, and long standing disputes between rival bodies or distinguished persons are occasionally postponed by the council to be given further discussion and final settlement there "on the next star chamber day in the afternoon immediately after dinner." The judges

[1] Camden, *Britannia* (ed. 1594), 112; Lambard, *Archeion*, 116, 223–4, Hawarde, 65–6; *Cases before Star Chamber in the Reign of Elizabeth*, i–iii, *Record Commission Publications; Chamberlain's Letters*, 65, 135, 144, 179.

and law officers were not regularly present at such meetings but were not infrequently asked especially to attend and give their advice to the councillors. Such decisions were not considered as actions of the court of star chamber, but seem to have drawn a certain semi-judicial character from the place and day of meeting of the council. It can only be hoped that the councillors may have arbitrated in a more kindly spirit as the result of the bountiful meal from which they had just risen. The proximity of star chamber to the receipt of the exchequer probably suggested its use for the "trial of the pyx," that is, the testing of the purity and weight of the coins, which was frequently performed by the council there.[1]

An important series of proclamations emanated from the council sitting in the star chamber. Some of these decrees, probably all of them, were issued as the outcome of a judicial decision that had been made there, and were therefore rather a completion of such judicial action than independent proclamations. Such was certainly the character of some of the trade edicts of the earlier part of the century, and the proclamation of 1577 against new buildings in London. The same was true in all probability of the decrees regulating printing.[2]

It was the custom to hold a formal meeting in the star chamber on the day after the close of Trinity term, at which the lord chancellor or the lord treasurer gave instructions and advice to the judges who were about to start on their respective circuits to hold the assizes. The government took advantage of these assemblages, which included many justices from London, Middlesex, and the neighboring counties and other persons of some standing, to express itself on many matters of current interest. The queen herself frequently gave to the lord chancellor on the Sunday preceding this occasion direct instructions as to what he should say. Gentle-

[1] *Acts of the Privy Council*, xvi, 350, 355, 357, xvii, 134, 172, xxi, 216, xxvi, 479, etc.; Hawarde, 38; Scofield, xii.

[2] Arber, *Transcript of the Stationers' Register*, ii, 753; Strype, *Whitgift*, i, 422–3; *Harleian MSS.*, cxcix, 95, quoted in Scofield, 53.

men who had forsaken their country dwellings to live in the city or towns were to return and abide on their own country places; idle and wandering persons must be punished; the excesses of apparel of the wives and daughters of merchants, lawyers and plain gentlemen must be restricted; the prices of the necessities of life must not be enchanced; inns must be kept orderly; the justices of the peace must be bees and not drones, giving themselves actively to their duties, at the risk of removal. Occasionally more general matters of policy were brought to the public ear. In 1573 Lord Burghley expressed there the queen's wishes for the settlement of religious disorders; in 1585 the circumstances surrounding the treason and execution of the earl of Northumberland were explained in detail; and in 1599, at the close of the term, at a full meeting in star chamber, seven of the councillors in turn spoke in defence of the action of the government in relation to the Irish rebellion and the earl of Essex. On a corresponding occasion the next year the lord keeper of the great seal again returned to the defence of the severity shown toward Essex, and at the same time gave a long lecture to libellers, disorderly persons, women who went to excess in their apparel, gentlemen who neglected to keep hospitality, and other offenders against good morals or the wishes of the queen and the council.[1]

[1] Hawarde, 19–21, 54–58, 101, 106; Holinshed, 1404–5; *Cal. State Papers, Dom.*, 1598–1601, 351.

CHAPTER VII

THE COURTS OF REQUESTS, ADMIRALTY AND CHANCERY

IF on entering the great hall at Westminster in the time of Queen Elizabeth, instead of turning to the left to reach star chamber, one should pass through the full length of the hall, ascend a flight of steps and go directly through a doorway and a short passage, he would enter a large room, older than the great hall itself, and probably part of the original palace of Edward the Confessor. This room was known as the white hall, and on one side of it sat the masters of requests, forming a court which possessed a dim analogy to the court of star chamber. It dealt with certain irregular civil cases, much as star chamber possessed criminal jurisdiction; and it claimed a shadowy identity with the privy council comparable in its own eyes at least with the robust reality of the relationship of star chamber to that body. But the masters of requests were not privy councillors nor did privy councillors or common law judges now sit with them in their court. Their oath of office, it is true, scarcely differed from that of the great lords of the council table, except in the omission of the one word which made them merely "councillors" of the queen in a general sense, not privy councillors. But this difference was all important. Instead of belonging to the group of great officials who in council and star chamber exercised the almost unlimited power of the crown, their position, although honorable and influential, was relatively quite subordinate.[1]

Like so many other officials, both high and low, the masters of requests were primarily members of the queen's house-

[1] Stow, *Survey of London* (ed. 1908), ii, 118–120; *Cæsar, Ancient State . . . of the Court of Requests*, fo. 174.

hold, and at least a part of their time was spent in attendance upon her at court, as already described. Their judicial tribunal, like other courts at Westminster, sat only during the term, and for more than two-thirds of the year they were therefore free from that service. They were, as men trained in equitable dealing, extensively employed in those commissions of investigation, adjudication and arbitration so constantly being appointed by the privy council. Their most conspicuous work, however, was in their sessions as the "court of white hall," "the queen's court of requests in white hall," "her majesty's court of requests," or the "masters of requests," as their court was indiscriminately called. The masters of requests were at this time four in number, two "ordinary" and two "extraordinary." Between these two grades was only the characteristic Elizabethan distinction of salary. The former received a regular fee of one hundred pounds apiece, the latter served without salary but with a promise of ultimate promotion to the more lucrative position.[1] The four masters in 1588 were Drs. Aubrey, Dale, Herbert and Rokeby. Subsequently Dr. Herbert was promoted to the secretaryship. As Aubrey, Dale and Rokeby died they were succeeded during this period successively by Julius Cæsar, whose patient waiting has already been alluded to, Carew, Wilbraham and Donne. These were all men trained in the civil law, Dale, Aubrey, Cæsar, Herbert and Donne all having taken their degrees of D.C.L. or LL.D. Such training was practically necessary, as the form of proceeding of the court which they held was, as one of them remarks, "altogether according to the procedure of summary causes in the Civill Lawe." Those who pleaded before them were also in many cases civilians rather than common law advocates. Their court was, in Walsingham's phrase, "a court of conscience, appointed to mitigate the rigour of proceeding in law."[2]

[1] *Acts of the Privy Council*, vii, 17, ix, 129, 340, x, 220, xviii, 322, xxiv, 460; *State Papers Dom., Elizabeth*, ccxxi; *Subsidy Roll*, 1598.

[2] Cæsar, *Ancient State, . . . of the Court of Requests*; Lodge, *Life of Sir*

Tradition, extending backward for almost a century gave access to this court and its mitigations to two classes of men only, for whose advantage indeed it was supposed to exist. These two classes were, first, poor men, whose means did not enable them to plead by the more formal processes of other courts, and secondly, servants of the crown, to whom the simpler and cheaper procedure of this court was one of the privileges of their service. Nor were these grounds entirely obsolete. The poverty or the public service of litigants is constantly stated as the occasion of their appearance before it, and indeed on November 30, 1598, an order of the court of chancery was issued referring all poor persons seeking relief in that court to the court of requests. Nevertheless access to the court was not apparently now denied to others, and vast numbers brought their suits before it doubtless rather because of the advantages of its procedure than of their right to its special favors. Its activity and its popularity with suitors were enormous. Some two hundred manuscript volumes and as many more unclassified bundles of records still testify to its industry and to the variety of the cases that came before it. These records cover the whole century and a half of its existence, from 1493 to 1642, but at no time during this period, except perhaps at its very close, was it more active than during those later years of the reign of Elizabeth which are now being described.[1]

The cases that came before the court of requests were of the most varied nature. Disputed accounts of merchants or executors, restitution of property obtained by deception, title to land, protection against vexatious suits, non-payment of debts and non-fulfillment of contracts, non-payment of wages, pecuniary disputes connected with marriage relations, maritime cases, — in fact there were few civil cases that might not come up in this court if they were of a nature to

Julius Cæsar, 18; *Cal. State Papers, Elizabeth, Addenda*, 10; *Acts of the Privy Council*, xxiv., 70, xxvi., 41.

[1] *Acts of the Privy Council*, xxiv., 127, 170, 240, 293; Leadam, *Select Cases in the Court of Requests*, li-liii.

claim treatment as matters of equity, and if the plaintiff could conform to a by no means rigorous interpretation of the old requirements of the personal position of those who claimed its jurisdiction. Some of the most characteristic and important disputes that came before the court of requests were those connected with enclosures. There was scarcely an administrative or judicial body in England in the sixteenth century that was not drawn into some participation in the far-reaching disputes and prevalent disorders springing from that great economic and social change. But just as the court of star chamber was from its administrative nature especially liable to become the theatre for much of the punishment for violence on the part of those carrying out or those resisting enclosures, so the court of requests was the natural place of appeal of poor litigants evicted or disturbed by their landlords where the question of violence did not arise. The tide of such disturbances had begun to fall by the later decades of Elizabeth's reign, and the doctrines of the common law had become sufficiently well established to give security to many of the tenants by acknowledging them as copyholders, but even yet this court is much engaged with the protection of tenants claiming its services. Like the star chamber, its jurisdiction disregarded county boundaries and extended over all parts of England and its dependencies, even taking cognizance occasionally of cases arising in those districts which were more directly under the control of their own extraordinary tribunals.[1]

The procedure of the court was much the same as that of its greater congener already described, although somewhat less formal. In answer to a petition addressed to the queen and brought into this court was granted a writ of privy seal summoning the defendant to his answer. Replication, rejoinder, interrogatories and their answers, examinations of witnesses, inside and outside of court, and various interlocutory court orders were followed by a summons to the parties to appear before the court on a certain day, when the final

[1] Leadam, 62, 64, 101, 198.

decree of the court was announced. This procedure, simple, rapid and inexpensive as it may have been compared with some contemporary court practice, frequently extended over a year or more and must have involved fees of no inconsiderable amount.[1]

The white hall was not so orderly as the star chamber. There was more or less interruption by attorneys and bystanders and unseemly clamor and dispute among the counsel. A contemporary jest describes two old friends meeting in the court of requests. One answers the question of the other as to the reason for his presence, "I came to be heard if I can." "I think so," replies the other, "nowe thou canst be heard in no other court thou appealest to Cæsar," Sir Julius Cæsar being at that time the first master of requests.[2]

In all this activity of the court of requests, however, there was latent a doubt as to the firmness of its foundations and therefore of the validity of its decrees. It was obviously not, at this time, a branch or form of the privy council, as it had perhaps been in the earlier part of the Tudor period. The masters of requests were not privy councillors or state officials or even great noblemen; they held no commission from the crown clothing them with judicial powers. Nor was the existence of their court provided for or regulated by any statute. The masters of requests were simply appointees of the queen to an office part of whose duties involved waiting upon her personally, part had now long consisted in the holding of this court. On the other hand, they were themselves by no means diffident in asserting the dignity and exercising the customary powers of their court. Not only did the court of requests take cognizance of the vast variety of cases that were brought to it but it issued injunctions to defendants sued before it, forbidding them to take any action against the plaintiff in any other court until the first suit had been decided in their own court, and to stop such a suit if it had been begun. These powers were conceded to

[1] *Ibid.*, xx–xxii.

[2] *Manningham's Diary*, 129.

it by the privy council, the ministers and at least partially by other courts. Frequent letters asking for the favor or the prompt attention of the court to their servants, dependants or friends were sent to the masters of requests by great officials, and instructions to take up and decide suits sent to it by the council. In 1585 the chief justice of the common pleas and a prominent lawyer who subsequently became one of the justices wrote to the masters of requests asking them as a court of equity to modify a judgment which the court of common pleas had found itself compelled by the rules of the common law to grant. Fifteen years later the same court suggested to a litigant that a certain suit be transferred to the court of requests.

But this action of a common law court at as late a period as 1599 was quite exceptional. Long before that year the authority of the court of requests was seriously impugned by the court of common pleas itself. There had long been indications of delay or negligence on the part of persons summoned by privy seal or suitors suffering adverse decrees to give obedience to the mandates of the court. In 1590 or 1591 such disobedience began to receive the systematic support of the courts of common law. One recalcitrant defendant appeals to the court of common pleas "upon the statute of Magna Charta," doubtless claiming that he has not been tried by the "law of the land"; and the authority of the court of requests is only upheld by the plaintiff appealing to the privy council and securing from it an order to his adversary to obey the injunction of the court of requests and withdraw his suit in the other court. In June, 1591, a Pembrokeshire man was so sure of the favor of the justices of assize in supporting him against an injunction of the court of requests that he tore off the seals and contemptuously refused to obey it. But the privy council as usual supported the masters of requests and forbade the justices to proceed with the suit till the court of requests was satisfied. The conflict became constantly more intense. In 1593 the court of common pleas and in 1595 the court of queen's bench pro-

hibited plaintiffs from proceeding with certain cases already admitted to the court of requests.[1]

In the next year, on the other hand, Julius Cæsar, in his capacity of master of requests, asserted the high jurisdiction of his court in a little volume dedicated to Lord Burghley relating to the court of requests. He gathers and presents with much learning and ingenuity, but not always quite ingenuously, the claims of the masters of requests to be considered members of the privy council, and of the court of requests to be a form of that council, and quotes a large number of precedents for its high and varied jurisdiction. But he juggles with the names of the council, quotes more early than late precedents, misquotes the form of his oath, and with all his learning can find but few formal acknowledgments of the court of requests by other courts. Nor does his argument seem to have influenced the judges. In 1598 the justices of the court of common pleas prohibited a plaintiff from proceeding in the court of requests with a case which had already come up before them, and a few days afterward forbade another to introduce in the court of requests a plea of debt which properly belonged to the common law courts. They also released by *habeas corpus* a man imprisoned for contempt by the court of requests.[2]

Finally, somewhat later in the same year, 1598, a case came to a conclusion which definitely settled the status of the court of requests, so far at least as that could be done by the judgments of the common law courts. The court of common pleas decided by unanimous opinion of the judges in a case that came before them, commonly referred to as Stepney's case, that a sheriff had no right to arrest a prisoner on a writ issued by the court of requests, since it was in reality no court of judicature at all. The court was now frequently defied by those subjected to its action. Its judges were in a most

[1] Cæsar, *Ancient State . . . of the Court of Requests;* Leadam, *Select Pleas in the Court of Requests*, xxxiii–xxxv; *Orders and Rules of 1543*, Sects., 4, 7, 8, quoted in Leadam, lxxxv; *Acts of the Privy Council*, xxi, 218.

[2] *Lansdowne MSS.*, cxxv; Leadam, xxii–l, cviii–cx.

unenviable position. It was not an unusual occurrence for men whom it imprisoned to be released by the other courts on *habeas corpus*; its decrees were frequently disobeyed; and suits before it were constantly stopped by prohibitions or orders issued from other courts.[1]

Yet in spite of all this the court continued to flourish; its lists of cases were filled, the time of its masters was constantly occupied, its services were valued and its decrees at least sufficiently well obeyed to give satisfaction to the vast majority of its suitors. A careful examination of its proceedings for one month, taken almost at random from this period, discloses sessions on twenty-three of the twenty-eight remaining days in the term, and the issue of some three hundred and thirty-six orders of various kinds.[2] The reasons for this popularity are not far to seek. Its fees were less and its process simpler than those of other courts, and its services proportionately attractive. The masters of requests were the regular recipients of petitions made directly to the queen and they naturally directed the petitioners into their own court for further adjudication of the subjects of their complaints. The privy council, moreover, consistently upheld their authority. Cases were referred to their court for decision, and pressure was brought to bear upon defendants and witnesses to obey its process. As a matter of fact such a tribunal as the court of requests was an almost indispensable part of the paternal system of government then in existence. The vast body of redress, control and oversight of the personal affairs of individuals habitually offered by the government to those who asked, and enforced upon all, whether asking or not, demanded a many-sided administration. It required not only an ever active privy council and a strong judicature to enforce criminal discipline, but just

[1] *Coke's Reports*, (Leach ed.) ii, 647; Coke, *Fourth Institute*, chap. 9; Moore, *Cases Collect.* (ed. 1688), 549, Leadam, xxviii–xxliii; *Brit. Mus., Add. MSS.*, 25,248 fo. 51 B, quoted by Leadam, xliii; *Acts of the Privy Council*, xx, 218, 303, xxv, 114, 303, xxvi, 475, xxx, 90.

[2] November, 1594, the last four weeks of Michaelmas term, Leadam, xlvi.

such a body as the court of requests to settle civil disputes in the same sphere. Even the judges of the common law courts, although driven by their technical reasoning, and perhaps by motives of jealousy or mercenary interest to deny its full legal competence, were but half-hearted in their opposition to it. They would probably have encouraged its continued existence as a dependency of their own courts. Coke, the most rigorous of them, in his "Institutes," after "freeing his soul" by pointing out that the court of requests had no authorized existence either by statute, by immemorial antiquity or by commission, suggests its legalization by act of parliament. Although this was not done and it remained without parliamentary sanction, subject to the disapproval and occasionally to the antagonistic action of the common law courts, yet it survived these disabilities till, like the court of star chamber and the privy council itself, as an active administrative body, it fell along with the whole régime of which it was a part in the storms of revolution of the next century.

The hand of the privy council was extended alternately to support and to control still another court of somewhat irregular and doubtful jurisdiction. This was the court of admiralty. The lord admiral was one of the great ministers of government. He was an influential member of the privy council, the custodian of many powers and privileges, the head of a wide-spreading system of local vice-admirals, and at least the nominal possessor of an extensive civil and criminal jurisdiction. The patent now given him on his appointment to office not only clothed him with administrative powers corresponding to the high claims of the crown but extended his judicial authority far beyond the limited provisions of the ancient statutes which defined that authority. This judicial power, however, although exercised in his name and supported by his influence, had become quite clearly separated from the administrative powers of his office, and had long been exercised by an official known as the judge of the admiralty. When a vacancy in the position of admiral

occurred between the death of the earl of Lincoln in January, 1584, and the appointment of Lord Howard of Effingham in July, 1585, it was declared and not controverted that the judge of the admiralty had a court "which must not dye," and drew his right to exercise his jurisdiction, as he did his appointment, directly from the crown, "be there an Admirall or noe Admirall." Although a deputy of the greater official and speaking in his name, the admiralty judge was therefore the holder of an independent court.[1]

His jurisdiction had its roots well back in the fourteenth century, but its period of prominence and its career of widely extended powers lies, like the courts that have just been described, in the Tudor period, and the culmination of its independence is reached in these later decades of the reign of Elizabeth. The judge of admiralty during the whole of the period covered by this work was the same Dr. Julius Cæsar who concurrently with this office, at least after 1591, held the office of a master of requests. Indeed these two courts, of requests and admiralty, had much in common. In their chancery procedure, their close dependence on the privy council, and their inobservance of the limitations which the common law courts attempted to lay down for them, they were alike. Even their spheres of action overlapped to some extent. The court of requests, as has been pointed out, exercised certain forms of admiralty jurisdiction, and the relief offered by the court of admiralty on the other hand was often of the nature of equity.

The court of admiralty differed from all the other great courts in its location. It was held not at Westminster but in a building of its own in Southwark, not far from the end of London bridge.[2] Here a varied and by no means unimportant mass of litigation was carried on. Naturally this litigation looked for the most part seaward. Libels or allegations were brought against men and ships or the goods

[1] *State Papers, Dom., Elizabeth*, clxxx, 14.

[2] Marsden, *Select Pleas in the Court of Admiralty*, Selden Soc., ii, 2.

upon them, corresponding to the complaints or bills introduced into the courts of star chamber and requests. A broad arrow drawn upon the mast was an indication of a vessel arrested by order of the court of admiralty. Interrogations were drawn up by its judge or counsellors, witnesses were examined at the court-house or by commissioners elsewhere, even occasionally in foreign countries, warrants were issued, and sentences, arbitrations or awards were given. The most frequent suits in the admiralty at this time were by owners whose vessels or cargoes had been injured by the negligence, ignorance, incompetence or ill-will of other vessel owners, navigators, sailors or agents. A vessel is negligently moored at a wharf on the Thames and on the turn of the tide drifts against another and destroys it. An unskilful pilot runs his vessel on a bar in the harbor and causes much loss. A careless navigator permits a collision to occur. The indolence of a shipping master allows goods to fall into the hands of enemies or pirates and the owner regains them only after long waiting and heavy losses. In all such cases the loser could sue in the admiralty court for reimbursement from the person responsible for the damage. Similar relief was given to owners of vessels or cargoes upon vessels which had been wrecked and which were in danger of being pillaged by the inhabitants of the sea-coast, or forfeited to the undetermined claims of the crown, salvagers or of the admiralty itself. In such cases the owner appealed to the judge of admiralty and steps were taken to prevent pillage, to secure restitution or to obtain a moderate valuation of salvage or the royal claims to wreckage.[1]

A large and constantly increasing part of the work of the admiralty court was connected with piracy. Goods captured by pirates were brought into English harbors and held or sold. The owners of the goods, often after a long search, learned or

[1] *Ibid.*, lxv-lxxix; Francis Clerk, *Procuratorium seu Modus postulandi et procedendi in causis . . . in suprema Curia Admiralitatis, etc.*, *Lansdowne MSS.*, cxxxvi.

suspected their whereabouts and appealed to the judge of admiralty. Many of these owners of goods captured by pirates were foreigners and their complaints were made to the queen, to the privy council, to English ambassadors abroad, or to the lord admiral, as well as directly to the admiralty court itself; but in all cases they came eventually to the judge of the admiralty, who issued a warrant for the recovery of the plundered goods and often for the arrest of the pirates as well. But pirates and the goods they had probably already disposed of were elusive, and it was therefore customary for the privy council in such cases to strengthen the hands of the admiralty court by the issue of a "placard of assistance," commanding all vice-admirals, mayors, sheriffs and other officials to assist in the search for the plundered goods. These commissions became a matter of speculation on the part of keen-eyed courtiers, and the council was induced to give their credentials to persons who had no interest in the goods except their hope of obtaining from the owner a percentage on what they obtained. Such commissions seem to have come to be looked on as an abuse, for in July, 1589, the privy council, on the motion of the lord admiral, ordered that no letters of assistance for carrying out the decrees of the admiralty court should be granted for the future except at the request of the admiral himself. The court of admiralty was made use of also, as will be seen in a later chapter, in cases of reprisals, the seizure of contraband, the issue of commissions to privateers and the condemnation of Spanish ships seized by the French, Dutch and other allies of England and brought temporarily into English ports. The doctrine of the rightfulness of seizure of enemies' goods in friends' ships was borrowed from the French and enforced in turn not infrequently against them as well as other allies. Somewhat similar in principle to such actions were the cases of seizure of ships and cargoes of English interlopers in the trade of the various chartered commercial companies; such as that of a certain merchant trading in the preserves of the Muscovy company in 1574, whose ship, the Elizabeth of

Yarmouth, and her cargo of hides were confiscated by decree of the court of admiralty.[1]

Lastly, there was a broad field of jurisdiction claimed by this court over all kinds of contracts and personal relations entered into either on the seas or beyond the seas or agreed upon in England to be performed upon or beyond the seas, or upon any tidal rivers of England below the first bridges. Such cases in an island country like England were very numerous and varied all the way from disputes as to sailors' wages and assaults committed at sea to marine insurance and marriages and wills made abroad. It was in this field rather than in the admiralty court's older and more obviously proper spheres of damages at sea, wreck, piracy and reprisal that the long quarrel with the courts of common law on the question of the proper limits of their respective jurisdictions took place. It was an old dispute in which each party in turn was the aggressor. During the whole of the sixteenth century the court of admiralty undertook to punish for contempt those who sued in other courts for matters that properly belonged to the admiralty jurisdiction. From time to time on the other hand the courts of queen's bench and common pleas not only took cognizance of cases in fields which the admiralty claimed, but ordered suits to be withdrawn from the admiralty court after they had been begun there, on the ground that it was exceeding its legal jurisdiction. Such a dispute led as early as 1558 to a scandal, when the judge of the admiralty was arrested by order of the chief justice of queen's bench for his continuance of a suit which had been ordered stayed. Even the courts of the city of London and other seaports sometimes extended their cognizance of cases to fields which the court of admiralty claimed.

From 1570 onward this dispute became more intense. The judge of the admiralty complained that there were so few fees that his court "is brought to utter ruyn so as the same

[1] *Acts of the Privy Council*, xvi, 17, 268, 305, 324, 385, xvii, 166, 249, 253, xix, 123; Marsden, *Select Pleas in the Court of Admiralty*, ii, xviii, lxv–lxxv, 150; *Trans. Royal Hist. Soc.*, New Ser., xvi, 76.

is not worth the kepying." The queen sent a sharp letter to the mayor and sheriffs of London ordering them to abstain from considering cases that arose upon or beyond the sea. New commissions were given to the judge of the admiralty, extending his powers and forbidding the other judges and magistrates to intrude upon his field. Secretary Walsingham put the discussion on a higher plane by writing to the chief justice in 1584 directing him in the name of the queen not to accept for trial a certain case involving a Portuguese, and in future not to consider any case of a marine and foreign nature; giving as his reason the fact that the civil law which was used in the admiralty court was better suited to such cases than the common law as applied by the chief justice in his court. The lord admiral, however, still complains bitterly that the judges of queen's bench are daily intruding into his sphere, basing their action on ancient laws which are now suspended by the words of his patent. At one time a bitter dispute with many "sharp speeches" took place between the lord admiral, supporting his appointee, Dr. Lewes, judge of the admiralty, and the chief justice concerning a prohibition issued by the latter. At this time Burghley asked the judge of the admiralty if a similar case arose again to speak to him about it and not "go to stir up the admiral." It was not long before Dr. Lewes accordingly appealed to the lord treasurer to use his influence immediately to prevent high-handed action on the part of the chief justice. If not supported against the common law court Lewes feels that he will not be able to show his face in his own court any more.[1]

In 1575 an attempt was made to settle the long-standing dispute. The judge of the admiralty submitted to the justices of queen's bench five requests, very moderate in tone and restricted in extent, specifying certain powers and points of authority of the court of admiralty, and these claims

[1] *Acts of the Privy Council*, vii, 12, xvi, 406, xvii, 16, 17, 34, 51, 166; *Lansdowne MSS.*, xvi, 141, xxx, 20–21; Marsden, *Select Pleas*, ii, xii–xv, lxv–lxxv, 22, 231–8; *Trans. Royal Hist. Soc.*, New Ser., xvi, 82; *State Papers, Dom., Elisabeth*, ccxxvii, 49, ccxxxvii, 66.

apparently were accepted by the judge. But the agreement was scarcely sufficiently detailed to cover the questions at issue and the unsatisfactory relations continued. The justices, although they did not openly question the sovereign's prerogative, yet did not acknowledge either the validity of the extension of jurisdiction in the admiral's patent or the special commissions granted to the judge of admiralty by the queen, and acted on the theory that that tribunal possessed no powers except those defined by the statutes of the fourteenth century. In 1585 the officers of the admiralty were summoned before star chamber in connection with this dispute. They had arrested two men who had persisted in bringing what the judge of the admiralty considered an admiralty suit into a London city court. The common law courts extended their jurisdiction by construing contracts made abroad for performance in England as if their real location was in England. "Imaginary sign-posts in Cheapside" played a part as legal fictions in bringing suits for insurance and other commerical matters into the court of common pleas. The common law judges did not deny altogether the judicial authority of the court of admiralty as they did that of the court of requests, but they tried in every way to reduce this jurisdiction to its very lowest limits. The teaching of the contemporary legal writers was the same. Crompton, Lambard, and above all Coke, lay stress on the restrictions of the law upon its competency. The last named, as advocate, writer and judge did all in his power to belittle its powers.[1]

Yet as in other cases of extended jurisdiction, the privy council steadily upheld the admiralty court. Writs of assistance were freely given to suitors before it to strengthen its process, administrative officials who interfered with its actions were punished, it was supported against the disobedience of litigants and the intrusion of local bodies claim-

[1] *Lansdowne MSS.*, xxx, 20–21; Prynne, *Animadversions*, 05, 07; Marsden, *Select Pleas*, ii, xiv, xv; Crompton, *L'Authoritie*, 88–91; Lambard, *Archeion*, 41; Coke, *Fourth Institute*, chap. 22, *Reports*, 12, 104.

ing admiralty jurisdiction. In 1588 the lord mayor of London was instructed to see that certain merchants claiming prize goods should sue before the judge of the admiralty, not "by course of common law." The privy council formally rebuked even the judges of the common law courts for their opposition. In 1598 the admiral procures the endorsement of the whole privy council to a letter he is sending to the chief justices of queen's bench and common pleas complaining of recent interferences of their courts with decisions given in the court of admiralty, and declaring, "as I the lord admiral have no meaning to embrace any case done on the land, so I thincke the proceedings in meere sea causes and properly appertayning to my office ought not to be impeached." In January, 1600, the council wrote to the chief justice of the court of common pleas protesting against the recent decisions of that court and requiring him to take heed that suitors be allowed to receive trial in the admiralty court as they had done during the previous two hundred years. A month later the law officers of the crown were ordered to examine into the whole question along with the judge of the admiralty and then with the justices of common pleas and queen's bench, and to arrange "that some settled course maie be taken betweene the said Courtes themselves and the Judge of the Admiralty for the redres of theis inconvenyances." [1]

The court of admiralty was one of the great bonds of connection between England and the foreigner and it was as much a matter of interest as it was of honor and duty that the queen should be able to show a clear record of English justice in the determination of suits with foreigners. Cæsar speaks of "the civil and maritime law, the truest and most indifferent judge between all nations." The delays resulting from prohibitions of admiralty action by the other courts, the decision of international cases by the English common law, the advantages coming to an unscrupulous litigant from a conflict of jurisdictions, and the comparative slowness and pedantry of the common law courts were all opposed to their exclusive

[1] *Acts of the Privy Council*, xvi, 237, xxix, 367–8, xxx, 3, 43.

claims and in favor of the continuance of admiralty jurisdiction. It could arrest a ship and so give effective security to those with claims against its owners; its procedure was speedy and it could therefore give a prompt decision to those anxious to get away to sea; it could allow all the mariners to sue together for their wages instead of bringing separate actions, as was insisted on by the common law; its judges were civilians and therefore more able to give enlightened justice in cases involving foreign contracts than the common law judges. It was altogether natural, therefore, that the council and the crown should continue to give support to the admiralty court and that it should continue to flourish through the whole of this period. Successive attempts at compromise or definite agreement on the questions at issue long continued to be made but there was no final settlement till changed circumstances late in the seventeenth century made it possible for the common law courts finally to withdraw from the admiralty court the vast proportion of its work.[1]

The prototype of the courts of star chamber, requests and admiralty in procedure and in various other respects was the court of chancery. It is described in this chapter after them instead of before simply because it was less directly dependent than they on the privy council. Like them it enjoyed at this time a specially wide extension of powers, and like them also it augmented the power of queen and council and was in turn supported by them against the attacks of the courts which represented a less personal authority. The court of chancery sat in the southeast corner of Westminster hall, directly opposite the court of queen's bench. From this relative location arose the familiar form of speech contrasting law and equity, as being the characteristics of the two opposite sides of the hall. It was a common observation then, as was long afterward stated, that "in the same cause,

[1] Marsden, *Select Cases*, ii, lxxix; Holdsworth, *English Law*, i, 322–7; Cæsar to Howard, 1591, *Additional MSS.*, 12, 505, fo. 377, quoted by Marsden, *Eng. Hist. Rev.*, xxiv, 693.

between the same parties, and in the examination of the same facts, justice must be delayed if not completely balked on one side of Westminster hall for the want of power to compel the production of evidence which could not be withheld when demanded on the other side."[1] The explanation of the contrast is an easy one. The court of chancery was the traditional tribunal to which all cases of special legal hardship might be brought. The common law, which alone was applied in the courts of queen's bench and common pleas and in the courts throughout the land was a rigorous system, bound by precedent and narrow technical limitations. It gave no help in some cases, it would have worked only hardship if applied in many others. It was early recognized that "man's actions are so diverse and infinite that it is impossible to make any general law which may aptly meet with every particular act and not fail in some circumstances"; that, as Bacon expressed it, "the law cannot provide for all cases, but is adapted to meet such as generally occur. And time . . . daily creates and invents new cases."[2]

And what was true of a statute or general law was true also of the general doctrines of the common law. Substantial justice could only be obtained in unusual cases from a court drawing its powers more directly from the fount of all justice, and following a more elastic procedure. It is true that other equity courts, as we have seen, performed this function to a considerable extent. But their jurisdiction was limited and their authority in some respects questionable. The court of chancery, on the other hand, from its antiquity, its undefined limits and its close connection with the crown, as well as from the forms of procedure it had developed, was especially well fitted to give relief to a vast number of the aggrieved or litigious subjects of the queen. The leading position in the government of the lord

[1] Smith, *De Republica Anglorum*, ii, c. 10; Mills vs. Kane, 2 Grant (Pa.), 52.

[2] Earl of Oxford's Case, 1610, cited in Holdsworth, i, 237–8; Bacon, *Advancement of Learning*, Book VIII, chap. 3, Aphor. xxxii (ed. 1883), v, 94.

chancellor, who presided in this court, his prominence in the privy council, his presidency of the court of star chamber and the house of lords, his custody of the great seal and his nominal headship of the great office for the issue of royal documents known as the chancery, "the forge or shop of all writs," combined to give to his court a peculiar authority and distinction.[1]

In a contemporary treatise attributed to lord chancellor Ellesmere himself, the high position of the chancellor and of the court of chancery is given its full credit. "As the chancellor is at this day, . . . the mouth, the eare, the eye, and the very heart of the Prince, so is the Court whereof he hath the most particular administration the Oracle of equity, the storehouse of the favor of Justice, of the liberalty Royall, and of the right pretoriall, which openeth the way to right, giveth power and commission to the judges, hath jurisdiction to correct the rigour of law by the judgment and discretion of equity and grace. It is the refuge of the poor and afflicted; it is the altar and sanctuary for such as against the might of rich men and the countenance of great men cannot maintain the goodness of their cause and truth of their Title." Although this description may smack somewhat of the tendency of the time toward exaggeration and magnification of office, as a plain matter of record a vast number of cases calling for special treatment or relief were constantly being brought into the court of chancery. More than fifty thousand cases are recorded for the reign of Queen Elizabeth, an average of more than a thousand a year.[2]

Technicality and the unsettled limits to the boundless power of the chancery alike forbid any attempt to describe or analyze these cases. They included efforts on the part of plaintiffs to compel payment of legacies, return of mortgages,

[1] Lambard, *Archeion*, 58.

[2] Ellesmere, *Observations concerning the office of the Lord Chancellor*, 21; *Proceedings in Chancery, Queen Elizabeth*, 3 vols. Record Commission; *Index to Chancery Proceedings, Lists and Indexes*, vol. vii.

acknowledgment of title to land, performance of agreements; they involved charges of fraud, injustice and extremity of treatment; they concern trusts, mischance and losses due to carelessness or ignorance of legal forms on the part of the complainants. The father of William Shakespeare mortgages a piece of land to a certain Edward Lambert for forty pounds, and afterward borrows more money from him. When he offers to repay the forty pounds, Lambert declines to return the mortgage unless all his other debts to him as well as the forty pounds immediately involved are paid, and Lambert's son still retains the land. John Shakespeare then appeals to the court of chancery to give him what he considers justice in the case. Such is one of thousands of appeals. Another is that of a debtor who had paid his debt but neglected to ask for the return of his bond. The common law judges declined to give him relief, "to supply his folly," as they said; but the chancellor, remarking that "God is the guardian of fools," required the creditor to bring the bond into court and cancel it.[1]

The justice asked for in the court of chancery is essential justice, — what the chancellor thinks in his conscience is just and fair in this particular case. The plaintiff "requireth the chancellor according to equitie and reason to provide for him and to take such order as to good conscience shall appertaine. And the court of the chancerie is called of the common people the court of conscience, because that the chancellor is not strained by rigour or forme of wordes or lawe to judge, but *ex æquo et bono*, and according to conscience, as I have said." "We may confidently call the chancery the King's High Court of Conscience, made especially to redress private causes, such as by extremity of law cannot have an end agreeable to equity."[2] The "conscience" which the chancery judges of this time used as the basis of their decisions

[1] *Proceedings in Chancery*, i, cxlv–cxlvii, and *passim; Abuses and Remedies of Chancery, Hargrave's Law Tracts*, 430–434; Spence, *Equitable Jurisdiction of Chancery*, i, 384, n. Pt. II, Book II.

[2] Smith, *De Republica Anglorum*, Lib. 2, cii; Ellesmere, *Observations*, 29.

was. It is true, not their mere personal opinion. A certain amount of guidance was obtained by applying the principles of Roman law to problems of equity or natural justice. "Tractates of Civil Law . . . to show what is the equity of the Civil Law and what is conscience," are described in a contemporary treatise as an essential element in the chancellor's court. English precedents were also sought for and followed, though not with the degree of dependence upon them customary in the law courts. We hear of Lord Keeper Nicholas Bacon refusing a judgment till he had looked into precedents, and of Lord Ellesmere declining to make a positive decree in a doubtful case for fear it should become a precedent. The functions of the conscience of the lord chancellor were already being reduced to the technical rules of the court of equity, and the reports of the year books, the collections of cases and the legal treatises of the time were all in the direction of greater rigidity. Nevertheless the process of stiffening was far from complete, and the decisions of the court were still so largely a matter of simple human judgment that Lord Chancellor Bacon, trained neither in the common or civil law, could still exercise the judicial side of his high office without serious error or difficulty.[1]

Sir John Puckering who followed him was a lawyer and looked much to precedent in his decisions. The next chancellor, Sir Thomas Egerton, later Lord Ellesmere, in the chancery as in star chamber, during his long administration, from 1596 to 1617, by his ability, persistence and devotion to system did much to stereotype the principles enforced in his court. But even after all this, and indeed after the work of Lord Bacon was accomplished, Selden, who knew the court of chancery well, could say "Equity in law is the same that the spirit is in religion, — what every one pleases to make it. . . . Equity is a roguish thing. 'Tis all one as if they should make the standard for the measure a Chancellor's foot."[2]

[1] Ellesmere, *Observations*, 37; *Register Book*, 8 and 9 Eliz., fo. 73; Cary's Reports, cited in Spence, ii, 420.

[2] Table Talk, Title *Equity*.

Occasionally a still more exalted if even less trained judgment took the place of that of the chancellor. Indeed Hatton declared that "the holy conscience of the Queen for matter of equity is in some sort committed to the chancellor," and it is only in line with such an opinion that Elizabeth in 1568 sent to the lord chancellor a messenger with a ring as an indication of authority, commanding him not to dismiss a certain case from his court but to decide it according to justice and equity. In 1591 she even required the lord chancellor to reopen and reconsider a matter in which he had already made a decree.[1]

The procedure of the court of chancery was better established than either the field of its jurisdiction or the principles of its decisions. It was practically that of the civil or Roman law and has been in its main features already described in connection with the account of star chamber. It knew nothing of an original writ, such as was used to begin a suit at law; nor did it lay stress on technical rules of proceeding; nor did it make use of a jury. Much more of its work was done in writing. The party who desired relief presented his appeal in perfectly informal language, though usually with the help of counsel, to the lord chancellor, stating his grievance and, in most cases, asking that a subpœna be issued requiring the person complained of to appear on a certain day to answer to the complaint. The subpœna was issued and the defendant presented himself on the appointed day and then or later handed in his written answer to the complaint. The plaintiff obtained access to this paper and then filed a replication to this answer, denying the defendant's statements and introducing new matter. To this the defendant might put in a rejoinder, renewing or extending his defence. Bill, answer, replication and rejoinder having been made the issue was now joined and it only remained to examine the parties and such witnesses as each one named. This was done either in court by the regular examiners of the court

[1] *Register, Book A*, 1573, B, 1575, fo. 145, A, 1591, fo. 646, cited in Spence, i, 414.

or by commissioners appointed specially in each case for the work. When this material was all formulated it was brought before the court and the decision or "decree" of the chancellor was given. There was much informality. Litigants took advantage of the opportunity to abuse and even slander their opponents and were frequently refused a further hearing in court, fined, or even sent to prison for doing so. In 1575 a bill being found improper the plaintiff was dismissed and charged twenty shillings costs. But when he was brought personally into court and proved to be "a very poor boy, in very simple clothes and bare-legged, and under twelve years of age," he was excused from the costs.[1]

The poor were apt to be specially looked after. Lord chancellor Hatton, in 1587, said to some of the counsel, "Your heart and hand must be ready for the relief of the poor," counsel are constantly appointed to serve poor men, and the usual fees of the court are remitted to them. Sometimes other elements enter the case. In 1596 a certain Richard Mylward, son of the plaintiff in a case, was shown to have interfered on behalf of his father and perhaps himself, by drawing up and engrossing a replication to the extent of one hundred and twenty sheets of paper, containing much impertinent matter and tending both to the injury of the defendant and the loss of time of the court. Lord keeper Puckering thereupon, quite in the style of star chamber, ordered the warden of the Fleet to bring Mylward "into Westminster Hall on Saturday next about ten of the clock in the forenoon, and then and there to cut a hole in the midst of the same engrossed replication, which is delivered unto him for that purpose, and put the said Richard's head through the same hole, and so let the same replication hang about his shoulders with the written side outwards, and then, the same so hanging shall lead the said Richard bareheaded and barefaced round about Westminster Hall, while the courts are sitting, and shall show him at the Bar of every of the three Courts within the Hall, and then shall take him back to the

[1] *Register, Book B*, 1575, 10, 76.

Fleet, and keep him prisoner until he shall have paid ten pounds to her Majesty for a fine and twenty nobles to the defendant for his costs in respect of the aforesaid abuse."[1] Many cases were referred by the lord chancellor to arbitrators, who were ordered to bring in their award by a certain period, or if they could not come to a conclusion to report to the court. Both parties were put under bonds to accept this decision. When a suit was introduced between an old lady and her great-nephew, in 1574, Sir Nicholas Bacon, lord keeper, declared that "it seemeth to this court to be a very unkind suit," and urged a compromise. When this failed he referred it to arbitrators. When a suit was brought against one of the privy council concerning the payment of a bill, for which he had obtained no receipt but had made a memorandum of payment at the time, the court declared that they recognized his handwriting and therefore forbade the suit to go further.

The many-sided activity of the chancellor and the overwhelming number of suits brought before him explain the necessity which had long since led to the formation of a corps of assistants for his judicial work. These were the traditional twelve masters in chancery, the principal one of whom, far exceeding the others in dignity, had the special title of master of the rolls. There was considerable irregularity in the number and character of the masters at this time. Certain masters extraordinary with limited powers and special duties were appointed from time to time corresponding to the masters extraordinary of requests. Such were those whose duty it was to take affidavits at a greater distance than three miles from Westminster or London.[2] In 1588 Lord chancellor Hatton ordered four ordinary masters in chancery to attend on successive days on the bench and two to attend him on Monday, Tuesday and Thursday afternoons at his house.

[1] *Ibid.*, *Book A*, 1596, fo. 672, quoted in Spence, i, 377.

[2] *Treatise on the Masters of the Chancery*, *Hargrave's Tracts*, 297; *Lord Chancellor Hatton's Order*, cited *Beames*, 48 (Spence i, 365 n.); Strype, *Annals*, iv, 374 (ed. 1824).

There were not always twelve holding the full authority of that office. In 1596, when one of their number, a certain Dr Hone, was criticised in star chamber, Lord keeper Egerton declared that he had never been able to learn just how many masters of the chancery there actually were, or who had the right to appoint them. Burghley's petulant suggestion that the lord keeper find out by holding a muster of them, testifies both to the irregularity of their position and to the lord treasurer's acerbity of temper in his later days. By old custom they were created simply by having a symbolical cap placed upon their heads while in their place in chancery without other registration or commission. Soon after this dispute, however, Egerton gave orders that a record should be kept of their appointment and admittance.[1]

Their position and dignity relative to other judicial officials was a matter of dispute. In 1576 Dr. Barkley, one of the masters of chancery, when sitting in the house of lords, according to the custom of judicial and legal officers, to give and receive information, rose without being asked and took part in the debate, which concerned the privileges of those officials. The lords were offended by his temerity and in rebuking him described his position as lower than that of the attorney general and solicitor general, the law officers of the queen. These and other legal officials thereupon began to take their seat above the masters of the chancery in various assemblies, much to the disapproval and against the protest of the latter. There are many indications that the position of the masters was not what it had once been, clerks, lawyers and grantees more directly under the authority of the crown and the chancellor having superseded them in many of their duties and reduced the importance and profits of their office. Still, however, their position was one of dignity, influence and emolument. The masters were in almost all cases doctors of the civil law, as were so many of those who participated in the work of jurisdiction at this time. In the

[1] Hawarde, *Les Cases in Camera Stellata*, 60; *Treatise on the Masters*, 294; *Egerton Papers*, Camden Society, 125–7.

court of the lord chancellor some of the masters always sat as assessors, and much of the actual work of the determination of suits was done by them. The appointment was still a lucrative one. Only a few years after the death of Elizabeth it was declared by Coke in parliament that eight of the masters in chancery had paid each one hundred and fifty pounds for his position.[1]

The position of the highest of the masters, the master of the rolls, was one of unquestioned prominence. In 1588 the office was held by Sir Gilbert Gerrard, an active and competent judge and official. He had a special room in the chancery with a corps of six clerks. He occupied also by virtue of his office an ancient dwelling house, office and chapel in Chancery lane in the city of London, known as the Rolls House. The building had been originally erected as a home for converted Jews, but after the expulsion it was set apart for chancery uses, "the Colledge of the Chancerie men," as a contemporary calls it. All the rolls of the chancery, including charters, letters patent, and other documents sealed with the great seal were kept there in bundles. The modern use of this building as the nucleus of the Public Record Office worthily perpetuates its honorable service as a great repository of manuscript records. The master of the rolls shared in all the legal powers and duties of the other masters and usually sat with the lord chancellor in his court. He was frequently one of the commissioners, often the sole commissioner, in cases the chancellor did not choose to settle. In addition to these powers he held by royal commission sittings at the Rolls House on chancery cases, and gave decisions which only needed the subsequent signature of the chancellor to place them upon the official record as settled decrees.[2]

Below or alongside of the masters were a number of other officials, the "six clerks," the clerks of these clerks, the cursi-

[1] *Treatise on the Masters*, 298, 300–319; *Commons Journal*, i, 594.

[2] Coke, *Fourth Institute*, c. 8; Lambarde, *Archeion*, 55; Spence, *Equitable Jurisdiction*, i, 357–366; Holdsworth, i, 213–217.

tors or makers of the routine writs of the court, clerk of the hamper, registrars, examiners, inroller, sealer, prothonotary and others, forming the body of officials necessary for the chancery not only as a court of justice but as a branch of the general government. Twenty or more of these received at least part of their support in the form of salaries from the treasury, the others, along with attorneys and solicitors, were supported by the rapidly increasing fees paid by litigants in the chancery court. As in the case of star chamber these charges roused much popular vexation. In 1598 lord keeper Egerton, yielding to this outcry, issued in the name of the queen a commission to John Shuckburgh and others, directing them to inquire into the procedure of the court of chancery and especially into the fees charged there. They reported their findings but no action seems to have been taken till the first year of King James, when a statute was passed regulating fees. Lord Bacon on becoming chancellor issued a series of orders concerning procedure and fees, and his successors added other orders. Nevertheless disputes about the fees and delays of the court of chancery were frequent in parliament and outside down to the period of the civil war, and the abuses of chancery survived to become the object of the sarcasm of a great novelist in our own time. There is much likewise to explain the downfall of Lord Bacon in the earlier history of the court over which he was so unfortunately called to preside.[1]

Popular antagonism had reference largely to excessive costs and unreasonable delays. There was disapprobation of a more fundamental kind. The court of chancery, with its extended jurisdiction, civil law procedure, equity principles and close connection with the executive government, could hardly fail to come into conflict with the common law courts, with their rigorous practice and high claims to antiquity and authority, as occurred in the cases of the courts of requests and admiralty. For a long time it was the court of chancery

[1] Spence, i, 400–405; Norburie, *Abuses and Remedies of the High Court of Chancery, Hargrave's Tracts*, 427–30; Holdsworth, i, 210–435.

CHAPTER VIII

LAW AND ADMINISTRATION

A NUMBER of other courts existed more or less closely analogous to those which have now been described. Some of these will be treated of in other connections, others will scarcely require mention. The councils of the north and of the marches of Wales were a part of the system of local government and will naturally be considered with that system. The court of high commission, which was closely parallel to star chamber, and other ecclesiastical courts which were even yet an integral part of the system of the national church will be described in that connection. Many of the administrative bodies, such as the court of wards and liveries, the duchy court of Lancaster and the county palatine courts of Lancashire and Cheshire, exercised certain judicial functions in connection with their other work. There was in progress a marked extension of courts martial. It was in fact a time of flourishing of many courts. The Cinque Ports, the city of London and other municipal bodies, the lieutenant of the Tower of London, the universities, and even lesser authorities, such as commercial companies, exercised jurisdiction, some of it ancient, some recent, some law, some equity, some mere custom. The marshal, the steward and the constable held their occasional courts, with real if narrowly limited powers. The justices of the forest still occasionally made their circuits. The great courts of common law and the assize courts held by the common law judges will be spoken of shortly. But enough has now been brought out to give a conception of that great structure of semi-patriarchal and semi-personal jurisdiction which was built up by the Tudor sovereigns on the foundations of the older judicial system. This jurisdiction was almost peculiar to the sixteenth and

early seventeenth centuries and arrived at its most complete development in these later years of the reign of Elizabeth.

Among all the judicial conflicts of this period, it is to be noticed that none occurred between the courts of star chamber, requests, admiralty and chancery, or between any one of them and the privy council. This is altogether natural. They were all parts of one consistent whole, all dominated by the same ideals, all instruments for carrying out a personal government extending to the most minute affairs of all the people. The objects of these courts of equity were much more extended than those of the courts of law, which came down from the middle ages. Just as the autocratic personal position of the sovereign was reflected and embodied in the organization and manner of life of the queen's court, so was the broader paternal ideal of the government of the time typified and realized most completely in its councils and its courts of justice. At one time Lord Burghley recommended to the queen the establishment of an extraordinary court for the general reformation of all abuses. He proposed that it should be composed of commissioners, who should proceed "as well by direct and ordinarie course of your lawes as also by vertue of your majesty's supreme power, from whom law proceedethe." Such a court was not actually established, but the proposal represented the ideal to which the most characteristic courts of the time steadily approached.[1]

This ideal corresponded in still other ways to the tendencies of the time. Queen Elizabeth's government, as indeed that of her immediate predecessors and successors, gratified her people in no mean degree by giving them abundant opportunity for litigation. Appeal to the courts was constant. Much of this was of course an effort to obtain relief from violence and high-handed injustice. Long lists of complaints in star chamber, requests and the chancery, as well as in the common law courts, recount the most deplorable oppression of the weak by the strong. The disorders connected traditionally with the Wars of the Roses had by no means disap-

[1] Strype, *Annals* (ed. 1824), iv, 326–31; *Lansdowne MSS.*, ciii, 319.

peared, though that period was a hundred years in the past. Much of the machinery for keeping order and preventing oppression was ineffective. No one complained more bitterly than the queen herself of the incompetence and unfaithfulness of the justices of the peace, upon whom according to the Tudor system much of the responsibility for actual administration fell. No Strafford with a policy of "Thorough" had yet put this method of government to the test. There was much injustice also other than violence or overawing of those who could not resist. Cheating, taking advantage of ignorance, outwitting in bargains flourished with all the vigor of a period of active minds and sluggish morals. Add to these characteristics of the time much difference of opinion on many questions, rapid transformations of social classes, much shifting of population throughout the country, much transfer of titles to land, and perhaps above all a native readiness to enter into a contest, a deep-seated litigiousness of character, and it will be sufficiently clear why the desires of the people and the judicial opportunities offered by the government met one another so amicably.

There are few better opportunities for insight into the prevailing offences, opinions, prejudices and manners of any period than an examination into the scattered records of the proceedings of these equity courts of the sixteenth century. The answers to interrogatories in the court of requests have lately been made to give fresh light on the Elizabethan drama, and new information about the life of Shakespeare attested by his own hand. From the midst of the turmoil of doctrinal conflict comes the testimony in star chamber of an agnostic named John Baldwin, "who questioned whether there were a god; if there were, howe he showld be knowne; if by his worde, who wrote the same, if the prophetes and the Apostles, they were but men, *et humanum est errare*, and such like damnable doubtes, and not suffered to be reade in the hearinge of this Courte." The very next year, 1596, Robert Fisher uses before the court "the heretical and execrable words that Christ was no savior and the gospell a fable."

When in a time of dearth the government exercises its usual authority to force the selling at a fair price of stored up grain, a man declares "My goodes are my owne; the justices, nor the queene, nor the Councelle have to doe with my goodes. I will doe what I liste with them." His faith in the unrestricted rights of property, however, did not save him from being fined £100 by the court, being put under bonds for good behavior, wearing a paper on his cap acknowledging that he was a regrater of goods, and confessing his fault in public. An evidence of the early odium of the principles set forth in "The Prince" is found in a record of the star chamber in 1595 where a scoundrel and turncoat is described as "a most palpable Macchiavellian." The Elizabethan interest in spelling is indicated by the attempt of the attorney general to prove that a man is "no schollar, for that he wrote false ortography," because he spelled the action of the court "prossus," "whereas every scholar knoweth it should be proces, because it comes from procedendo." But as the critic spells scholar, "schollar" in one place and "scholler" in another, it is evident that the rules of etymology in spelling were not yet entirely fixed.

The value placed upon social rank is indicated by the action of the court of star chamber in transferring to the privy council where it could be settled privately, if not so effectually, a case which threatened scandal to a nobleman. A regularly adjudicated case declares that if a man called his equal a liar it was an offence punishable in star chamber, because it was likely to produce a duel. If a man called his inferior a liar it was not punishable because a duel was inconceivable in such a case, and the superior was simply correcting a mistake on the inferior's part. But the clearest impression of the character of the age is drawn not from conspicuous, isolated cases, but from the evidence given in these records of the steady, continuous discipline exercised by an all-powerful, paternal government over a restless and somewhat disorderly people.[1]

[1] Hawarde, 16, 17, 41, 104.

The old established law courts need not detain us long. They were not so characteristic of the period. The doctrines of the common law had already reached their full development, the procedure of the courts had long been firmly established. It was the very inflexibility of their system that had made them unconformable to the requirements of the Tudor régime and necessitated such an extended development of other more adaptable tribunals. In many ways they were wedded to a distant past, in some they were anticipatory of a future when the activities of the crown should be more restricted. The courts of common pleas and queen's bench had each its place in Westminster hall, the former to the right of the entrance, the latter, as before stated, also on the right side of the hall but at its further end. Here during term time the chief justice of each bench and his three coadjutors sat and dispensed justice in the midst of what must have been much confusion.

The court of exchequer, the third of the courts of common law, did not sit in Westminster hall itself but in a spacious room adjoining its northern end which had been built for general exchequer purposes. Judicial duties were of course only one phase of the many-sided activities of that department of government. It was also an office of account for the national income, an establishment for the collection of the revenue, a treasury for the preservation of funds and a storage place for valuable records. The lord treasurer of England, who was the head of this whole exchequer system, had under him several subordinate departments and more than a hundred officials of various degrees at Westminster; besides customers, collectors and surveyors at fourteen seaports. The judicial work of the exchequer had long been increasing. Not only did it act as a court in all cases arising between the crown and both tax payers and tax collectors, but by the use of a legal fiction, through the writ *quominus* almost any kind of civil case might be brought before it. It had also a certain equity jurisdiction, participated in by a special chancellor of the exchequer, whose position thus bore a

distant analogy to that of the lord chancellor. The lord treasurer nominally, and sometimes perhaps really shared in the judicial work of the exchequer. Ordinary jurisdiction, however, was exercised by the chief baron and the three associate barons of the exchequer. The use of the term barons for the judges of this court was merely a matter of tradition. The chief baron, at least, differed in no way in dignity or position from the chief justices of queen's bench and common pleas. His associates had formerly been appointed rather because of their knowledge of the exchequer than of the law, and their position was therefore marked by some legal inferiority. But in 1579 when a certain Robert Shute was appointed a baron of the exchequer his patent was drawn to read that "he shall be reputed and be of the same order, rank, estimation, dignity and pre-eminence to all intents and purposes as any puisne judge of either of the two other courts." Subsequently the barons of the exchequer were all learned in the law and practically indistinguishable from the other judges.[1]

Whether from this rising dignity and greater activity of this court or for some other reason, the exchequer hall was in 1570 rebuilt, and the stone bases of the fine chestnut posts then put in to support its roof retained until a few years ago the names of the leading ministers of the time then inscribed on them. The great hall of the exchequer, like the star chamber, was used for other purposes than those of the court sittings proper. At certain times when cases of special difficulty or doubt arose in any one of the common law courts they were appealed to a session of the whole body of judges sitting in exchequer chamber. Many famous cases were thus argued before the twelve judges in this great room, and the law finally declared on controverted points. The lordly proportions of the exchequer hall were responsible for other uses more remote from its judicial dignity. It served the queen and court not infrequently as a ball-room, and the

[1] *State Papers, Dom., Elizabeth*, ccxxi; Hall, *Antiquities of the Exchequer;* Foss, *Lives of the Judges*, v, 409–10, vi, 18–21.

gallery that extended across its end seems to have been placed there when it was rebuilt in 1570 especially for the musicians.[1]

Closely attached to the exchequer was the court of wards and liveries. It shared with the court of requests the old White hall at Westminster, as the place of its regular sittings. Along with his other offices Lord Burghley held the office of master of the court of wards and liveries for more than thirty-seven years. The connection with the office of lord treasurer was a natural one, and several times before in the fifty years of its existence the offices of treasurer and master of the wards had been connected. The position was lucrative and influential. The other principal officials who made up with him the court were the receiver general and attorney general of the court. At its judicial sessions one of the justices and the attorney and solicitor general were especially directed to appear and were specially paid to act as assistants. The court had besides a body of fifty-four "feodaries," nine to be present in the court itself and one in each of the forty-five counties. There were attached to it a corps of surveyors, auditors and clerks.

When any landholder holding directly from the crown died it was the duty of the escheator of the county to notify the feodary, in whose presence an inquiry by jury was held to discover whether the late holder left a minor heir and if so to find the value of the estate. This was notified to the master of the wards, who granted the wardship to some relative of the heir or other person agreeing to make the necessary payments, and decided what these payments should be. Watch was kept on all special payments due on the land or profits to be derived from it. The value of the marriage of the ward was carefully collected, and when the ward came of age livery of the lands was sued out by an established procedure and for set payments. The money operations of

[1] *Report on the Reconstruction of Westminster Hall*, 1885; Coke, *Fourth Institute*, chaps. 11, 13; 3 *State Trials*, 825; Rushworth, *Historical Collections*, i, 481; *27 Eliz.*, chap. 8, *31 Eliz.*, chap. 1.

the court were of large proportions. When Sir Robert Southwell died in 1598 leaving his wife Elizabeth, daughter of Admiral Howard, a widow with a young son, the master of the wards gave the wardship of the boy to his mother and established the payment at forty pounds a year till he should be ten years of age, then fifty pounds till he should be fourteen, and sixty pounds for the rest of his minority.[1] The purchase from the government of such a wardship, giving to the purchaser the income from the lands, burdened only with the requisite payment to the government, the upkeep of the estate and the nurture of the ward, was a favorite form of investment at the time, or was not infrequently a form of gift from the queen or the master to persons they were willing to favor.[2]

The income of the crown through the court of wards and liveries extended to several thousand pounds a year. When George Goring, who had been its receiver general for nine years, died in 1591 he was almost £20,000 in arrears in his payments. The receiver general in 1600 accounts for about the same sum in his operations for the year. Some years later the income through the court of wards, according to the estimate of an official who had good reason to know, was £44,000 a year. This income was paid out for the most part to the cofferer and the master of the wardrobe for the expenses of the household, but occasionally large sums were ordered to be paid on the queen's warrant for more general expenses. In 1598 Robert Cecil writes that he thinks he can wring £3,000 from the receiver of the wards on the queen's warrant after the usual household expenses have been paid, and in 1601, the queen herself writes to the master and receiver ordering them to pay £2000 over for expenses of the war on the Spanish coast and in Ireland, and £3000 more for some more special purpose.[3]

[1] *Chamberlain's Letters*, 27; *Cal. State Papers, Dom.*, 1595–7, 512, 1598–1601, 364, 394, 461.

[2] Birch, *Memoirs*, i, 72.

[3] *Cal. State Papers, Dom.*, 1591–4, 69, 1598–1601, 16, 441; 1601–3, Gardiner, *Parliamentary Debates in 1610*, 164.

The payments imposed upon landholders and the supposed harshness and favoritism of the court evidently made it extremely unpopular even under the wise mastership of Lord Burghley. In the propositions for the reorganization of the English government and the refilling of the offices in church and state, drawn up by Cardinal Allen in Spain in 1588, before the sailing of the Armada, which was so violently to open a way for their introduction, it is suggested that this whole office and the taxes which it administered should be abolished or commuted as a mark of favor by the new king on his entry. With much moderation and good judgment Allen explained that new arrangements might readily be made for the education of wards and the improvement of estates, and the right of marriage should properly be relinquished to relatives or other natural guardians of the ward. He calls attention to the fact that the gain to the sovereign is very small compared with the loss to the subject. The enforcement of these old feudal claims was an anachronism and England was in this respect behind other well ordered kingdoms of the time.[1]

Although England fortunately did not buy this or any other reform at the price of Spanish conquest, the court of wards evidently still remained an object of criticism at home as well as abroad. When the mastership became vacant on the death of Burghley in 1598, among other rumors concerning it one was that "some say the Queene menes to dissolve that Court, and instead thereof to raise a yearly contribution out of all lands *in capite* or by knight service, which wold be more for her profit and lesse grievance to the subject, but this is too goode to be true." On the other hand, Essex petitioned the queen for the mastership and made private inquiries of the officers of the court as to its profits and possibilities, and protested against the proposal to limit the powers of the master.[2] Long delay followed, and it was only after nine

[1] Knox, *Letters and Memorials of Cardinal Allen*, ii, cvi–cviii, 304.

[2] *Chamberlain's Letters*, 23, 31; *Cal. State Papers, Dom.*, 1598–1601, 102, 204.

months of intermission that Sir Robert Cecil on the 21st of May, 1599, succeeded his father in the office. The court then resumed its sessions and some slight reorganization took place. Ten years afterward, Cecil, now the earl of Salisbury, used the same arguments with James and with parliament that Cardinal Allen had used in 1588, but the "Great Contract" failed, and it was not till 1660 that this remnant of feudalism was swept away and the landlords transferred the burden from their own shoulders to those of the nation at large.[1]

The ecclesiastical confiscations of the early part of the century had given occasion for the creation of two new courts, augmentations and first-fruits and tenths. These bodies, however, had ceased to exercise any jurisdiction, if they had ever done so, and were now merely subordinate administrative and financial offices in the exchequer, each with its chancellor, attorney, treasurer, auditors and clerks, the two together giving occupation to more than a hundred employés. The court of the duchy of Lancaster or the "court of the duchy chamber of Lancaster at Westminster," as it was called, on the other hand, though a branch of the exchequer and administering extensive crown lands, exercised through its chancellor and other officials some judicial functions, their decisions, like those of so many of the greater courts, being according to equity and by decree, not by the common law.

The courts of the counties palatine of Chester and Lancaster and several other petty jurisdictions which figure in a minor degree in the records and the law books of the time must hold even a smaller place in any account of the period based on relative importance of institutions, for their whole formal framework of officers was already out of date and retained only to carry out the requirements of legal tradition. The same is true to a considerable extent of the courts of the forests, notwithstanding their interest to Elizabethan anti-

[1] Gardiner, *History of England*, 1603–1642, ii, 63–107.

persons were drawn directly or indirectly, voluntarily or involuntarily, with or without remuneration, into the service of the government. Probably several thousand persons habitually received orders from the government and performed duties imposed by it. But the number of those who really directed its policy and exercised its ultimate authority was very small. The government of Elizabeth, apart from the occasional personal interposition of the queen, was a bureaucracy, of which the control was in the hands of perhaps not more than forty or fifty men. Each of its most distinguished members was active, as has been seen, in a number of different capacities. Lord Burghley was a member of the privy council and of star chamber, lord treasurer, head of the exchequer and its subordinate bodies, and master of the court of wards and liveries; his son Sir Robert Cecil was likewise in privy council and star chamber, was secretary, master of the wards and chancellor of the duchy of Lancaster; the lord chancellor presided in many bodies and was head of the whole system of issue of documents under the great seal; and the lord admiral was similarly influential in the councils, courts and his own administrative department. A few other councillors were in analogous situations and like them occupied the most powerful positions in the government. The secretaries and the great household officials, with their personal connection with the queen and membership in the privy council and star chamber, had scarcely less authority. The judges through their own courts, the attendance of some of their number in star chamber, their constant correspondence with the privy councillors and their conspicuous position when they went on circuit, were probably the next most influential element in the government. The lesser judges, that is to say the masters of requests, judge of the admiralty and master of the rolls approached the other judges closely in influence. Still another group ought to be taken into consideration. These were the men who served sometimes as clerks or secretaries of the council, sometimes as envoys to foreign states or were otherwise utilized in foreign service.

quarians and the momentary revival they were to enjoy under the early Stuarts.[1]

In addition to the permanent officials who have been named or referred to, a great body of Elizabethan administration was carried on by specially appointed commissions. If a dispute between private parties before the privy council dragged on too long or involved matter not easily accessible to that body, if testimony needed for one of the great courts must be obtained at a distance from Westminster, if the trained-bands were to be specially mustered, if confiscated goods were to be seized and sold, if goods captured and sold by a pirate were to be sought for and regained for their owners, if the authors of the Martin Marprelate pamphlets were to be ferreted out, if a special inquisition for recusants was to be made, in such cases and for a hundred other purposes commissions were made out under the great seal, either to officials or to persons not otherwise engaged in the government service, directing these commissioners to perform the task. Such commissions ranged in permanency all the way from what were practically standing boards of government employés carrying on continuous work to commissioners appointed for the most simple and momentary duties.

Scarcely less authoritative than royal commissions were the numberless letters issued by the privy council and signed by such members as happened to be present at the time of their drawing up. These were directed in many cases to officials or commissioners requiring them to perform certain duties or giving directions how they should be performed. Many, however, were directed to gentlemen in the country or citizens in the towns, asking them, though in a form that hardly admitted of refusal, to do various duties ranging from making an award between two disputants to paying a sum of money to her Majesty's necessities.

If this whole structure of administration and jurisdiction is examined it will be evident that a very large number of

[1] Mar. Papers, Dom., Elizabeth, ccxxii; Coke, *Fourth Institute*, chaps. 14–1[illegible]
[illegible] Crompton, [illegible]

persons were drawn directly or indirectly, voluntarily or involuntarily, with or without remuneration, into the service of the government. Probably several thousand persons habitually received orders from the government and performed duties imposed by it. But the number of those who really directed its policy and exercised its ultimate authority was very small. The government of Elizabeth, apart from the occasional personal interposition of the queen, was a bureaucracy, of which the control was in the hands of perhaps not more than forty or fifty men. Each of its most distinguished members was active, as has been seen, in a number of different capacities. Lord Burghley was a member of the privy council and of star chamber, lord treasurer, head of the exchequer and its subordinate bodies, and master of the court of wards and liveries; his son Sir Robert Cecil was likewise in privy council and star chamber, was secretary, master of the wards and chancellor of the duchy of Lancaster; the lord chancellor presided in many bodies and was head of the whole system of issue of documents under the great seal; and the lord admiral was similarly influential in the councils, courts and his own administrative department. A few other councillors were in analogous situations and like them occupied the most powerful positions in the government. The secretaries and the great household officials, with their personal connection with the queen and membership in the privy council and star chamber, had scarcely less authority. The judges through their own courts, the attendance of some of their number in star chamber, their constant correspondence with the privy councillors and their conspicuous position when they went on circuit, were probably the next most influential element in the government. The lesser judges, that is to say the masters of requests, judge of the admiralty and master of the rolls approached the other judges closely in influence. Still another group ought to be taken into consideration. These were the men who served sometimes as clerks or secretaries of the council, sometimes as envoys to foreign states or were otherwise utilized in foreign service.

quarians and the momentary revival they were to enjoy under the early Stuarts.[1]

In addition to the permanent officials who have been named or referred to, a great body of Elizabethan administration was carried on by specially appointed commissions. If a dispute between private parties before the privy council dragged on too long or involved matter not easily accessible to that body, if testimony needed for one of the great courts must be obtained at a distance from Westminster, if the trained-bands were to be specially mustered, if confiscated goods were to be seized and sold, if goods captured and sold by a pirate were to be sought for and regained for their owners, if the authors of the Martin Marprelate pamphlets were to be ferreted out, if a special inquisition for recusants was to be made, in such cases and for a hundred other purposes commissions were made out under the great seal, either to officials or to persons not otherwise engaged in the government service, directing these commissioners to perform the task. Such commissions ranged in permanency all the way from what were practically standing boards of government employés carrying on continuous work to commissioners appointed for the most simple and momentary duties.

Scarcely less authoritative than royal commissions were the numberless letters issued by the privy council and signed by such members as happened to be present at the time of their drawing up. These were directed in many cases to officials or commissioners requiring them to perform certain duties or giving directions how they should be performed. Many, however, were directed to gentlemen in the country or citizens in the towns, asking them, though in a form that hardly admitted of refusal, to do various duties ranging from making an award between two disputants to paying a sum of money to her Majesty's necessities.

If this whole structure of administration and jurisdiction is examined it will be evident that a very large number of

[1] *State Papers, Dom., Elizabeth*, ccxxii; Coke, *Fourth Institute*, chaps. 14–16, 36, 37–41; Crompton, 134–204.

persons were drawn directly or indirectly, voluntarily or involuntarily, with or without remuneration, into the service of the government. Probably several thousand persons habitually received orders from the government and performed duties imposed by it. But the number of those who really directed its policy and exercised its ultimate authority was very small. The government of Elizabeth, apart from the occasional personal interposition of the queen, was a bureaucracy, of which the control was in the hands of perhaps not more than forty or fifty men. Each of its most distinguished members was active, as has been seen, in a number of different capacities. Lord Burghley was a member of the privy council and of star chamber, lord treasurer, head of the exchequer and its subordinate bodies, and master of the court of wards and liveries; his son Sir Robert Cecil was likewise in privy council and star chamber, was secretary, master of the wards and chancellor of the duchy of Lancaster; the lord chancellor presided in many bodies and was head of the whole system of issue of documents under the great seal; and the lord admiral was similarly influential in the councils, courts and his own administrative department. A few other councillors were in analogous situations and like them occupied the most powerful positions in the government. The secretaries and the great household officials, with their personal connection with the queen and membership in the privy council and star chamber, had scarcely less authority. The judges through their own courts, the attendance of some of their number in star chamber, their constant correspondence with the privy councillors and their conspicuous position when they went on circuit, were probably the next most influential element in the government. The lesser judges, that is to say the masters of requests, judge of the admiralty and master of the rolls approached the other judges closely in influence. Still another group ought to be taken into consideration. These were the men who served sometimes as clerks or secretaries of the council, sometimes as envoys to foreign states or were otherwise utilized in foreign service.

But there were only eighteen members of the privy council, twelve common law judges, half a dozen presiding personages in the extraordinary courts, and perhaps as many more who either held office or favor at court sufficient to make them a power in the government. Certain noblemen and country gentlemen not in this group of officials exercised some influence, and there was a body of military men who possessed great distinction; but their part was after all a minor one in the great machine of government which carried on the government of the Tudors. Its real effective working was rather due, after the queen and the leading personages who have just been mentioned, to the lesser officials and frequently employed commissioners, many of them trained in the civil law, who have been frequently referred to in this and the preceding chapters; or else its work was done for it in an entirely separate field of service, that of local government.

This whole organization, so characteristic of Tudor England, was better fitted for internal than external government. It kept profound domestic peace; it preserved tolerable order in the country; it administered reasonably good justice between man and man; it exercised a more or less enlightened policy of oversight and regulation of the affairs of the people. But from 1585 onward it was compelled to meet the additional problems of a period of foreign war. Offensive operations from that year to 1589 were on only a small scale and carried on indirectly; a series of deliberate invasions of the continent was now to be made.

Part II
Military Affairs, 1588-1595

Part II

Military Affairs, 1588-1595

CHAPTER IX

THE EXPEDITION OF 1589 AGAINST SPAIN AND PORTUGAL

ENGLAND and Spain had been in conflict since 1585, although neither party had as yet acknowledged the existence of a state of open war, nor indeed did so during the reign of Elizabeth. The defeat of the Armada in August, 1588, caused but a momentary cessation of hostilities. Philip talked immediately of repairing the losses to his fleet, raising new troops in Italy and elsewhere, and preparing to avenge his honor and try the fortunes of war again the next year.[1] For England, although the deliverance from immediate danger permitted the discharge of the half-organized army which had been gathered to withstand the invader, and the greater number of the ships were put out of commission and their hungry crews allowed to go home or to die of ship fever in the seaports, yet some sort of counter-stroke to the Armada was a natural proceeding. It was perceived by many both in England and abroad that this was a favorable opportunity to carry the war into the enemy's country. Duplessis-Mornay, the French minister, wrote to the ambassador in England, October 29, 1588. "It is important that the queen keep her foot upon the neck of the Spaniard. If not and if she withdraws it we have no certainty of a similar success a second time." The Venetian ambassador in Madrid thought of the same possibility when he remarked in a letter to the

[1] *Cal. State Papers, Venetian*, 1581–91, 405–7.

Senate dated four days later, that no small trouble would arise now if Drake should take the sea and sail to meet the Peruvian fleet, or make a descent on the shores of Spain, where he would find no obstacle to his depredations, and might even burn a part of the ships that had come back. Mendoza also, who had long been Spanish ambassador in England, and was now in Paris, wrote to Philip of his anticipation that the queen would take advantage of this opportunity for an attack upon him.[1]

Even before these foreign opinions had been expressed a definite proposal for the invasion of the Spanish dominions had been laid before the queen and council in the middle of September, by Sir John Norris and Sir Francis Drake. The project was for the equipment of an expedition, partly at the expense of the crown, partly by private adventurers, to attack the coasts of Spain, now unprotected by any fleet. The plan was early broadened to include an effort to place on the throne of Portugal Don Antonio the pretender, who took this opportunity to offer, with the help of an English armament, either to burn the warships in the harbors of Lisbon and Seville, or to capture Lisbon, or to seize the island possessions of Spain, with the hope of securing his own restoration always in the background. The three persons who thus took the leading parts in the expedition were all notable. Norris was the most prominent English commander on land, as Drake was at sea, at this time. Sir John Norris or General Norris, or Black John Norris, as he was often called, from his swarthy complexion, was the oldest and most distinguished of three soldier brothers who might readily have obtained favor and preferment at court through the influence of their father Lord Norris of Rycote and their mother, both of whom were old and favored friends of the queen. But they were among those to whom the court was distasteful and Sir John, at least, was a soldier all his life. After fighting in Ireland as a mere

[1] Duplessis-Mornay to Buzenval, Oct. 18, 1588, *Correspondence*, iv, 271; Hieronymo Lippimano to the Doge and Senate, Oct. 22, 1588, *Cal. State Papers, Venetian*, 1581–91, 407; *Cal. State Papers, Spanish*, 1587–1603, 439.

lad, he served in the Netherlands for some years as a volunteer and then in 1585 was placed in command of the detachment sent by the English government to aid the Netherlanders in the defence of Antwerp. Since that time he had been the most active of the English captains in the Low Countries, had fought in almost every engagement and won the respect of the queen, the devotion of the soldiers and popular fame. At the time he proposed the plan for the expedition against Spain he had just finished the work of dissolving the Armada camp at Tilbury of which he had been marshal under the earl of Leicester. He will be found connected with most of the military events we shall have to consider in this work.

Sir Francis Drake had a career even more varied and warlike. Sprung from humble stock in Devonshire he had advanced to reputation and knighthood by what was for England a new path, that of maritime adventure. On the coast of Guinea, in the West Indies, through the Straits of Magellan and around the world, in the West Indies again, on the coast of Spain, and in the Armada fight Drake had made his name known and dreaded by the enemy and had won a naval rank second only to the official position held by the lord admiral.

Don Antonio, or King Antonio, as he was called in England, was the bastard nephew and nearest relative of the late king of Portugal. He was popular and would probably have made good his position on the throne, had not Philip II of Spain in 1580 put forward a claim of his own, sent troops into Portugal and driven Antonio into exile. Since that time a Spanish governor ruled in Lisbon and all sedition had been put down with a heavy hand. A rich goldsmith prepared a ship and placed in it a great treasure to be sent to the exiled king, but unfortunately it took fire while still in the harbor, the treasure was found and the goldsmith hung. A religious house near Lisbon secretly provided a large body of arms to be ready for Antonio if he should return to the country, but they were discovered, all the inmates executed and the house dissolved. Prominent Portuguese were banished and their wives and

children retained as hostages for their loyalty.[1] In the meantime Antonio had spent the years from 1581 to 1588 appealing alternately to France, England, Turkey and the Netherlands for armed assistance. He was able however to give but shadowy proofs of any effective support to be obtained in Portugal, and but slight evidence of personal ability, while the money and jewels he had brought with him in his flight had long been exhausted. He had come to be looked upon as a mere pawn in the game of European politics. Like a restless ghost he moves in and out of the international affairs of the time through many years, but never attains embodiment and never comes appreciably nearer to his goal. A joint English and French expedition for his restoration had been proposed in 1581, and France actually fitted out two successive fleets for him in 1582 and 1583. Antonio had kept constantly in correspondence with Burghley and other English ministers, and in 1583 and 1584 England assisted him in his negotiations with the Porte. In 1585 and later there was talk of Drake sailing under his commission. In 1587 the exiled king laid before the Netherlands estates a plan for a lottery to secure funds and for the loan of troops by them and by England for his restoration.[2]

Even as late as the summer and early fall of 1588, an effort had been made by England at the request of the exiled king, to interest in his fortunes the Shereef of Morocco, his nearest neighbor across the Mediterranean. The earl of Leicester gave a letter to Antonio to be sent by his own messenger to Henry Roberts, who represented Leicester and others interested in English trade in Morocco. Roberts answered this letter in July. September 10th the queen addressed a long letter of recommendation for Don Antonio and his son Don Cristobal, "Al muy alto y muy Poderoso señor Mir Asmuminium Xarif, Emperador de Marrocco de Fez y de

[1] *State Papers, Dom., Elizabeth*, ccxxii, 27.

[2] *Lansdowne MSS.*, xxxv, 169, 180, 189, 198; Pieter Bor (ed. 1679), iii, 110; Oppenheim, *Monson's Tracts, Navy Records Society*, i, 188; Pears, *The Spanish Armada and the Ottoman Porte, Eng. Hist. Rev.*, viii, 439–66.

Sus," stating that she had promised to restore Don Antonio to his kingdom and asking the "emperor" to carry out the promises he seems already to have made to send troops to aid Antonio and oppose the tyranny of Spain.[1]

As the plan for the expedition against Spain took shape in September and October, 1588, it included the effort to replace Don Antonio on his throne, an attack on the coasts of Spain and Portugal, the destruction of the ships of the Armada as they returned to the Spanish harbors and an attempt to intercept the treasure fleet on its way from the Indies. News of the proposed invasion soon made its way to the continent. September 27th, a spy in London in the service of the Spanish government reported that Drake was soon to sail with a squadron of ships, but whether in search of stragglers from the Armada or to take Don Antonio to Portugal he could not find out. He had seen Drake and Antonio together for two hours recently and he now recalled Drake's jocular invitation a year before to meet him in Portugal the next Christmas. The same correspondent continues through the next month to write of Drake's expedition, "to help Antonio." Somewhat later another letter writer speaks of the probability of the English fleet landing at Corunna to burn the Spanish ships.[2]

The original plan, which seems to have been submitted by Sir John Norris on the 19th of September, 1588, provided for a grant by the queen of £20,000 in money, the use of six ships of the royal navy provisioned for three months, with artillery, weapons and ammunition, permission to levy 8,000 men, a request for additional men and transport ships from Holland, and a royal commission that would give to the commanders the right to press ships and men into the service, take up provisions at the queen's price, exercise martial law, distribute captures and otherwise act with the authority of the crown. In addition to the contributions from the crown,

[1] *Harleian MSS.*, ccxvi, 203, 207–8; *Cal. State Papers, Spanish*, 1587–1603, 482, 486.

[2] *Cal. State Papers, Spanish*, 1587–1603, 450–1, 462, 469, 481.

Norris and Drake agreed that private adventurers would subscribe £40,000 in money, so that the queen's adventure would amount, with the ships and other equipment, to something more than one third of the total expense. They also asked that the queen should agree to pay all losses if the expedition should be stayed or recalled by her order, and to feed the soldiers if it were delayed more than ten days by bad weather. Most of these provisions were embodied in the commission granted to Norris and Drake, October 11th, although in very general terms and on somewhat restricted lines.[1]

The queen was only half-hearted in her approval of the scheme. She carped at the expenditure, insisted on the private adventurers paying their shares before hers was all expended, and avoided giving the necessary orders for the provision of the ordnance and ammunition. Nor was Burghley really in favor of the project. He declared that he was not unwilling to further the voyage, but he made financial arrangements difficult, and criticised the plan of withdrawing the English troops from the Netherlands on the ground that "whilst we attempt an uncertainty, we shall lose a certainty, and so seek for a byrd in a bush and leese that we have in a cadge." The request of Norris for the use of the Victory, a larger ship than the one provided and thus more suitable for the king of Portugal and the distinguished company going with him, was not granted, nor was his appeal to Burghley to ask the bishops and lords of the council to contribute "for the better gracyng of our journey." The whole project was too bold for the temperament of either Burghley or Elizabeth.[2]

On the other hand there seems to have been comparatively little difficulty in obtaining the necessary private subscriptions. By the middle of October, the earl of Northumberland, Lord Rich, Sir John Burrough, Sir Charles Blount and many other courtiers and gentlemen had become adventurers.

[1] *State Papers, Dom., Elizabeth*, ccxvi, 32, 33, 59, ccxvii, 7, 14, 15, 23, 56, 79, ccxix, 37, 45, 49.

[2] Burghley to Walsingham, Dec. 23, 1588, *State Papers, Dom., Elizabeth*, ccxix, 37; Norris to Burghley, Oct. 15, 1588, *Ibid.*, ccxvii, 25.

The Lord Mayor appointed Sir Edward Osborne, Alderman Hart, Alderman Ratcliffe and other prominent merchants a committee to obtain subscriptions in the city, and within ten days £10,000 was subscribed, besides £5,000 from the merchants of Leadenhall. Sir Francis Drake himself subscribed £2,000 and some of his friends £6,000 more. It was anticipated that the friends of Sir John Norris would subscribe £20,000.[1] Don Antonio, also, ever hopeful of the rents from his castles in Spain, promised large things. He had already in answer to Burghley's inquiries as to his plans, in a letter written by his own hand, given a glowing picture of the relations between England and Portugal that would follow the success of the expedition,—freedom of religion to the English in Portugal, an English consul to settle all matters civil and criminal relating to Englishmen, a branch of the Portuguese East Indian spice market established in England and various other advantages to English merchants.

He now offered to give bonds for £10,000 to be placed in the hands of the English merchants in Morocco to see whether "any credyt may thereupon be gotten to provyde armes for the Portugueses." He agreed also to repay the whole cost of the adventure immediately after his landing out of such money, wine, oil, salt or other merchandise as he should obtain either by force or contribution from his subjects, and ten days after landing to take into his service all officers and soldiers in the army, paying them at the time three months' wages, calculated from the day they left England, and after the expiration of these three months paying them monthly in advance so long as they should remain in his service. According to reports sent to Spain he promised secretly to the queen even greater advantages in case of success. But these reminiscences of the days of the Black Prince, Pedro the Cruel and Henry of Trastamare were not taken too seriously by the Elizabethan adventurers who had to pay for their provision and equipment as they went along. At the end of three months these purchases had amounted to more

[1] *Ibid.*, CCXVII 23, 56, 57.

than £30,000, and before the army left England they rose to more than £50,000; while estimates of costs still to come carried the expenses up to some £64,000, making the whole expedition a very serious financial speculation.[1]

Of all the requisites of the expedition probably the most difficult of attainment was that which the promoters proposed to seek in the Low Countries, a body of seasoned troops. In all England there were probably not a thousand men who had actually seen foreign military service. Danger of invasion or threat of internal rebellion led to an occasional levy of troops and to the placing of men for a few weeks under arms, but they were soon dismissed to their ordinary occupations and their equipment restored to the hands of the local officials. Such had been the character of the troops which had been gathered at Tilbury and Dover in July, 1588, to resist the Spaniards should they be successful in landing. What would have been the success of these levies against trained Spanish soldiers had not, fortunately, been put to the test. In the Netherlands, on the other hand, were many English captains and soldiers who had become veterans in the service of the estates, and who might now be transferred to another field of activity in the same common cause. It was also hoped that the numerous trading ships of the Netherlanders might be drawn on for transport purposes, and that the estates would be willing to loan gunpowder and weapons. Norris was in the Low Countries on this business in November and December, and was successful in obtaining 1600 men, partly English under their own captains, partly Dutch under Colonel Nicholas van Meetkerken. Leaving them to be brought over by his brother, Sir Edward Norris, he returned to England and was again in London on the 20th of December.[2]

[1] *Lansdowne MSS.*, lvii, 91–3; *State Papers, Dom., Elizabeth*, ccxix, 49, ccxxii, 99; *Spanish Diary*, quoted in Hume, *The Counter-Armada of 1589*, 18–22.

[2] Pieter Bor, *Nederlandsche Oorlogen* (ed. 1681), iii, 35–9, 361–365, 378, 427; *Grimsthorpe MSS., Hist. MSS. Commission*, 1907, 197–8, 221–3; *Acts of the Privy Council*, xvi, 409, xviii, 16.

During the two months of the absence of Norris in the Netherlands, Drake and various government officials had been engaged in continuous preparations for the expedition. Supplies had been purchased for the victualing of the fleet and the clothing of the soldiers, recruiting had gone forward and a large number of vessels had been secured for transport and warfare. In the last few days of the year writs were sent out to the lords lieutenant of the twenty-six southern counties for the levy of the rest of the troops needed, and early in January letters were sent by the council to towns along the Thames and on the coast giving orders for housing and feeding the soldiers as they arrived at their places of shipment.[1] Now however began the long period of vacillation, ineptitude and mischance which delayed and weakened all operations of this period. Week after week passed by while differences of opinion in the council and changes of inclination on the part of the queen threatened the stay of the expedition. A new dispute broke out with the Netherlands that endangered their participation and indeed the whole alliance. New men had to be levied to take the place of those who deserted after being impressed; some of the adventurers withdrew their subscriptions and others had to be found to take their place. Additional shipping in the Thames and elsewhere had to be sought for, surveyed and equipped; the amount of ordnance that could be spared and the cordage that was required were quarrelled over. The rendezvous of the troops, first appointed for January 20th, was postponed to February and then to March.[2]

The censorious attitude of the queen and some of her ministers did not, however, involve the cessation of preparations. The rumors that reached England so constantly and from so many sources that the king of Spain was organizing a new armada could not be disregarded. Breton, Netherland and Easterling vessels were carrying grain,

[1] *Acts of the Privy Council*, xvi, 334, 418, 422–3, xvii, 11, 15, 25, 27, 34, 37, 58, 60.

[2] *Cal. State Papers, Dom.*, 1581–90, 552, 554, 556, 561–3, 567, 568, 573–9.

Newfoundland fish, cordage and other supplies to Spain for its needs. The council took steps to cut off these supplies by warning the merchants of other countries against carrying contraband of war. On the fourth of February parliament met. The lord chancellor in his opening speech and the chancellor of the exchequer a week later assured the House of Commons that the king of Spain was still bent on the invasion and destruction of England, and appealed for funds to prepare an army against any future event. Parliament, more eager even than the government, granted liberal taxes, and on its dissolution, March 29th, the speaker urged the queen in person to denounce open war against the king of Spain as against a most dangerous enemy of her majesty and her realm. February 23rd, the final commissions and sadly obscure and inconsistent instructions for the commanders, and for substitutes in case of their death, were signed by the queen.[1]

Early in March, Elizabeth, apparently somewhat distrusting Norris and Drake, appointed Anthony Ashley, one of the clerks of the council and a "trustie servant of hir owne," to go with the commanders on the expedition, to observe their actions, use his influence and counsel with them, and to report by letter the progress of affairs. The queen gave him detailed instructions by word of mouth, in the presence of the council, and Norris and Drake on being informed of the appointment professed to accept thankfully, "this her Majesty's care." Somewhat later Marmaduke Darrell, one of the permanent officers of the navy and dockyards, was also ordered to join the expedition, and Ralph Lane, already serving as muster master, was entrusted with the duty of reporting its progress to the ministers. Popular interest rather increased than flagged and the preparation of the fleet was the great subject of interest through the whole

[1] *Lansdowne MSS.*, civ, 71; *Cotton MSS., Galba*, D. iii, 265, *D'Ewes' Journals*, 419–455; *State Papers, Dom., Elizabeth*, ccxxii, 89, 90, ccxxv, 43; *Cal. State Papers, Dom.*, 1581–90, 580, 584, 586; *Acts of the Privy Council*, xvi, 356, 365, 415, 421, 447; Oppenheim, *Monson's Naval Tracts*, i, 194–200.

winter.[1] George Peele wrote a spirited "Farewell intituled to the Famous and Fortunate Generals of our English Forces by Land and Sea, Sir John Norris and Sir Francis Drake, Knights," in which he summons all bold Englishmen

> "To arms, to arms, to glorious arms,
> With noble Norris and victorious Drake,
> Under the sanguine cross, brave England's badge.
> You fight for Christ and England's peerless queen,
> Elizabeth, the wonder of the world."

At last by the middle of March, the long and troubled preparations appeared to be over. The generals and most of the troops were at Dover; Don Antonio, his son Don Emmanuel and a number of English noblemen and gentlemen adventurers met them there. The rest of the troops were moving across country to the final rendezvous, which was to be at Plymouth. There were, it is true, many deficiencies; ordnance, ammunition, food supply, transport were all far short of what they should have been. On the other hand the number of the troops was larger than had been anticipated. In addition to those which had been brought from the Netherlands and those levied by the lords lieutenants and justices of the peace of the counties, many had been recruited directly by the officers of Drake and Norris, and many had volunteered and been taken into the service. All these were now to be transported, first to Plymouth and then to their objective point in Spain or Portugal. The generals were in great difficulty. Despite the large number of merchant vessels hired or pressed into the service from London, the lower Thames ports, Ipswich, Harwich, Orford, Yarmouth, Lynn, Horncastle and Dover, there was not enough shipping to carry all the troops. Just at this emergency some sixty or eighty small Dutch vessels, fly-boats, as they were called, empty and on their way to Rochelle for salt, stopped at Dover. The Dutch were allies, and Norris proceeded to press the whole fleet, ships and men, into the service

[1] Instructions to Ashley, March 4, 1588–9, *Lansdowne MSS.*, ciii, 93; Darrell to Burghley, April 8, 1589, *State Papers, Dom., Elizabeth*, ccxxiii, 69.

of the queen for transport purposes, making short shrift of the opposition of the Dutch shipmasters. He offered, however, to give them regular pay and to release them at the end of three months with passports, permission to go where they chose and with the same store of victuals they had when taken. Overcrowding of the ships being thus relieved, the fleet sailed from Dover with a favoring north wind on the sixteenth of March and three days later arrived at Plymouth.[1]

Here, however, the fair wind failed them and now began another weary month of waiting for favorable weather. The capacity for sailing into the wind of ships of sixteenth century rig was very limited and English vessels were frequently kept in harbor for long periods by the prevailing south-west winds. Now day after day and week after week passed while the fleet lay in Plymouth harbor awaiting the wind that should take it to Spain. It was probably the largest fleet that had ever gathered there. There were about a hundred and fifty vessels all told, including seven ships of the queen's navy, some seventy-seven armed merchantmen and the sixty or more Dutch transports. They varied in size from the Revenge, Nonpareil, Dreadnought and Swiftsure, queen's ships of 500 and 400 tons, and the Merchant Royal and Edward Bonaventure, merchant ships of 400 and 300 tons, to little barks, hoys and pinnaces of 20 to 40 tons. They had been drawn from some twenty seaports and almost one half of them had been engaged in the fight against the Armada the year before.[2]

The number of men gathered for the expedition cannot be stated with certainty but lay somewhere between 14,000 and 22,000, including a thousand or more gentlemen with their servants who had volunteered to serve at their own expense. Additional volunteers and recruited men had come in after

[1] Pieter Bor, iii, 433–4; Meteren, *Hist. des Pays Bas, French Translation* (ed. 1618), 317; Drake to Walsingham, March 25, 1589, *State Papers, Dom., Elisabeth*, ccxxiii, 24.

[2] *State Papers, Dom., Elisabeth*, ccxxiii, 76; Oppenheim, *William Monson's Naval Tracts, Navy Records Society*, i, 182–5.

the Dutch transports had been secured, and still others joined the army at Plymouth. The number reported by the muster masters was 22,280 men; but musters of this period were often fictitious, exaggerating the actual numbers present. On the other hand some of those who took part in the expedition were interested in making as small an estimate as possible; so that the number in the army when it finally sailed cannot much have exceeded or fallen below 18,000 men.[1] The long wait at Plymouth was utilized in drilling these troops and organizing both the army and the fleet on a more elaborate basis than had formerly been customary. There were fourteen regiments, two directly under the two commanders, the others under trained officers from the Netherlands, Sir Roger Williams, Sir Henry Sidney, Sir Edward and Henry Norris, Lane, Wingfield, Umpton, Bretton and others, including the Dutch regiment under Colonel Meetkercken. In these regiments there were one hundred and fifteen companies, the standard company having a hundred and fifty men. A group of staff officers was appointed, including a commissary general, treasurer and other officers. The fleet was divided into five squadrons, each headed by one of the queen's ships, and provided with a group of fleet officers drawn from the captains of the vessels.[2]

The stay at Plymouth was by no means without incident. During the voyage from Dover and the long delay in harbor the masters of the Dutch fly-boats became more and more restive. They protested against their detention and service, short rations and general ill usuage. Drake and Norris drew up a more formal contract with them, but this gave no satisfaction. The shipmasters at last succeeded in sending to the privy council a petition for release. The commanders declared this a mutiny, arrested and examined a

[1] *State Papers, Dom., Elizabeth*, ccxxiii, 59, 74, ccxxx, 12; *Lansdowne MSS.* lx, i; Wingfield, in Hakluyt, *Voyages;* Fenner, in Birch, *Memoirs of the Reign of Elizabeth*, i, 58; Bailey, in Lodge, *Illustrations of English History*, ii, 355; Oppenheim, i, 186.

[2] *State Papers, Dom., Elizabeth*, ccxxii, 97, ccxxiii, 55, 74, 76; Corbett, *Drake and the Tudor Navy*, ii, 324–6; Oppenheim, i, 182–5, 186–7.

certain Leenman, whom they accused of being its fomenter, and finally sent him under guard to London to be handed over to Ortel, agent of the Netherlands estates. They wrote at the same time to Ortel asking that Leenman be punished, and that their action be properly explained to the estates; and, with the growing sensitiveness of the time to international opinion, issued a general declaration in defence of their action. This was addressed to all Christian kings, princes, lords and governments; explained the imperative need which had induced the officers of her majesty to press these ships into her service; stated that the generals had hoped that the Dutch skippers, as allies and almost, as it were, subjects of her majesty, would have willingly accepted the good terms offered them. It was only the delay and hesitancy on their part that had forced the generals to take things into their own hands. The outcome of the dispute was that the Dutch boats and their commanders remained a part of the fleet till the end of the expedition.[1]

A much more serious difficulty arose in the beginning of April. The earl of Essex, weary of the court and hungry and thirsty for adventure, had taken an eager interest in this expedition and petitioned the queen to be allowed to go with it, but was refused. As the weeks during which the fleet was delayed dragged on, his boyish restlessness pressed harder and harder on the bonds of obedience and prudence till they at last gave way. He made secret preparations and on Thursday, April 3rd, late in the afternoon, left the court, which was then at Whitehall, met two of his servants with horses in St. James' Park, and rode hard down toward Plymouth. The next day, while he pushed on with fresh horses, he sent one of his servants back with those which were wearied. The same messenger brought orders for certain necessaries to be sent after him and a letter to Lord Rich, with whom he was to have taken supper the night of his departure, enclosing the key to his desk and asking him to take out and distribute the letters he should find there.

[1] *State Papers, Dom., Elisabeth*, ccxxiii, 79, 87; Pieter Bor, xxvi, 23, 24.

These proved to be some forty in number, written with Essex's own hand and addressed to the queen, to the various lords of the council and others, friends and servants at court, explaining and excusing his irregular departure.

He declared that he would not be stayed by anything but death and that within two hours after he had reached Plymouth he would be at sea, no matter how the wind was; for if necessary, he would drag his pinnace out. He made good his word, for he reached Plymouth on Saturday, after two hundred and twenty miles riding, and was received by Sir Roger Williams, who was doubtless in collusion with him, in the Swiftsure, which, making use of a chance breeze, slipped away from the rest of the fleet the same day and made its way to Falmouth, temporarily out of reach of the commanders.[1] The queen, notwithstanding Essex' letter of apology, was furious at his disobedience and disrespect and the moment she knew of his departure sent Sir Francis Knollys posting down to Plymouth. The earl of Huntingdon was sent the next day with still more vigorous commands to the fugitive and the generals. At the same time the council sent separate letters by Sir Thomas Gorges to Essex expostulating with him on his action, to Captain Goring of the Swiftsure ordering him to rejoin Drake and to send Essex back to London, and to the generals to the same effect. The best efforts of these distinguished messengers, however, failed to reach Essex and obtained only exculpatory letters from Drake and Norris and ineffectual efforts to find and send back the runaway.[2]

From this time forward the queen's unfavorable attitude to the expedition was transformed into actual hostility, or at least into such a degree of disapprobation as threw every obstacle in the way of its successful proceeding and every form of discouragement upon its leaders. She stormed, complained and commanded, and the whole expedition was

[1] Anthony Bagot to Richard Bagot, April 8, 1589, Devereux, *Lives of the Devereux*, i, 196.

[2] *Acts of the Privy Council*, xvii, 131, 133.

held responsible in her mind for the injury to her dignity, her pride and her feelings involved in the disobedience of Essex. Norris wrote to Burghley, "We have never received any favorable answer to any matter moved by us, but only contraryly threatenings and chydyings." [1]

If the attitude of the government had been more favorable this month's delay might perhaps have been repaid in the improvement of the soldierly qualities of the troops. They were placed on shore and taken from their camp every day, exercised and drilled. Stringent orders were issued and in the main enforced against wandering from the camp, quarrelling between English and Dutch, and other forms of disorder. Volunteers also continued to join the army. But the great danger to the expedition was the exhaustion of its supplies. Drake and Norris refer to this fear almost daily in their letters to Burghley and Walsingham; Ashley and Darrell agree in estimating that they have less than a month's supply of food, and that this is being rapidly consumed, even before the expedition has been able to leave the harbor. It is true that this exigency had been provided for by the original agreement that the queen would see that the army was fed during any prolonged stay due to the weather or to her immediate orders, but in the present state of her feelings the generals hesitated to urge this claim. The appeals they did make to the council were grudgingly and tardily met. Before they sailed, the food was reduced to little more than a two weeks' supply and it was only on the day of their departure that the council gave orders to the mayor of Plymouth to provide the army with provender for another month. The price then set and the credit demanded made it almost impossible to purchase supplies in the open markets, and it was still a week later when carts came down from London with sixty bags of money, containing £6000 to pay for the food. It was necessary then to make provision for sending these victuals on to meet the fleet somewhere on the Spanish coast, and the queen at the same time announced

[1] *State Papers, Dom., Elizabeth*, ccxxiii, 71.

her intention of charging their cost to the expenses of the expedition.[1]

Nevertheless the four weeks of waiting finally ended in such indications of favorable weather that on the 18th of April the whole fleet left Plymouth harbor and lay in the open channel to be ready for the fair wind that came the next day, and within five days brought them in sight of Cape Ortegal on the coast of Spain. They had some time before been told that many ships were gathering in the bay of Corunna, and had determined to sail directly thither. Late on the afternoon of the 24th of April, therefore, the fleet anchored in the bay, not more than a mile below that town, and the troops landed in their boats without opposition and spent the night in villages, detached houses and mills. The next day was devoted to reconnoitring and preparing for an attack.

The city of Corunna is built on a promontory, the outer end being occupied by the "high town," strongly situated and fortified; the land end or neck of the promontory by the "low town," and a monastery, which were less well protected but served as the storage place of a considerable amount of wine, grain, oil, ship-biscuit, beans, beef, fish and other supplies supposed to be intended for the provisioning of a new armada against England. The garrison of the whole town consisted of about 1500 men, among them some 500 survivors of the late attack on England. They were under the marquis of Seralba, his second in command, especially in charge of the lower town, being Don Juan de Luna. In the harbor were one galleon, the San Juan, the flag-ship of the second squadron of the Armada, two galleys and three smaller vessels. There was little delay on the part of the invaders. On the evening of the 25th, the day after their arrival, the lower town was attacked by land and water and captured; Don Juan de Luna and a few other officers being taken prisoners. Some two

[1] Bor, iii, 434; Evesham, *Harleian MSS.*, clxvii, 113; *State Papers, Dom., Elizabeth*, ccxxiii, 59–62, 64, 68–71; *Acts of the Privy Council*, xviii, 134, 147, 152, 158.

hundred others, according to the barbarous custom of the time, "falling into the hands of the common soldiers had their throats cut."[1] The rest of the population retreated to the upper town leaving to the invaders all the stores, including the cellars full of wine. The English soldiers were soon beyond control of their officers, and unaccustomed as they were to such drink, by their excesses began the sickness which was to be the most destructive enemy of the expedition. The little equipment of artillery which had been brought with the fleet, two demi-cannons and two culverins, was landed and trained successively upon the vessels in the harbor and then upon the upper town. The three smaller ships were so riddled with shot that as one who was present said, "We might stand upon the land and see through the ships as through glass windows, we did so tear them with our pieces." But the galleys soon rowed away to Ferrol; the galleon, its guns charged to the muzzle, was set on fire and abandoned; the guns exploded and the English recovered but a few pieces of ordnance uninjured, the remainder being reduced to the form of molten brass.[2]

Norris had to defend his position against possible attack from the outside, at the same time that he proceeded with the effort to capture the remainder of the town. Seralba on the first approach of the English had written to the authorities of the province begging that troops might be sent to relieve the town, and if possible to cut off the invaders from their ships and destroy them. The next day some two thousand men, hurriedly levied from the neighboring peasantry, appeared at the gates of the town, but were beaten back by the English and pursued a mile or so almost without contest. A few days afterward, however, word was received of the gathering of a considerable army at Puente de Burgos, six miles from Corunna, and of still other troops hastening

[1] *State Papers, Dom., Elizabeth*, ccxxiv, 3, 13, 14, 15, 22, 23, 24, 44, 48; Stow, *Chronicle*, 752–3.

[2] Evesham, *Harleian MSS.*, clxvii, 115. Corbett, *Drake and the Tudor Navy*, ii, 335–6.

to join them. Norris decided that this attack must be anticipated and on the 6th of May took nine of his fourteen regiments, leaving the remainder under Drake to defend their conquests, and marched inland. They found the enemy strongly entrenched around a bridge over a creek, but attacked them with such vigor that the bridge was carried, the camp and the royal standard captured, and the Spanish army put to flight and pursued for three miles. Here again the barbarity of the sixteenth century asserted itself, and in addition to those killed in open battle, the English discovered and dispatched many whom they found hiding in hedges and vineyards, and Colonel van Meetkerken, commander of the Dutch contingent, was sent three miles further to a monastery, which he destroyed and where he put to the sword two hundred men. The regiments now retired to Corunna and resumed the siege.[1]

Efforts to capture the heavily fortified upper town were continuous. A night surprise was attempted but failed. While the walls were being mined in one place the four cannon tried to make a breach in another. On the fourth of May, everything being ready, the mine was fired and a storming party rushed to the broken wall; another party attempted the breach made by the artillery, and at the same time Drake with men in pinnaces threatened the city from the water side. But all the attacks miscarried; a tower weakened but not immediately overthrown by the explosion of the mine fell on the attacking party burying some twenty or thirty, including Captain Sydenham its leader, in the ruins. The breach made by the small cannon proved to be only in the upper courses of the wall, and the fallen rubbish slipped away from the feet of the assaulting party, leaving them exposed to the attacks of the garrison. A number of the English were shot as they retired from the wall; and the third party, that on the water, got no opportunity to make an attack.[2]

The invading forces had by this time been at Corunna two weeks, and but little had been accomplished. They

[1] *State Papers, Dom., Elizabeth*, ccxxiv, 47. [2] Stow, *Chronicle*, 753.

had already lost four captains and a considerable number of men. It is true they had fared well as far as food was concerned. Almost daily foraging parties of four hundred or five hundred men made incursions into the country and came back with supplies of sheep and cattle, and the stores in the captured lower town were at their service. Nevertheless there was but little careful use made of these opportunities. The captains of bands and masters of vessels who had sufficient prudence loaded their vessels with fresh supplies, others made no such provision. It is true also that an appreciable injury and humiliation had been inflicted on Spain. The English had defeated all the forces that had appeared against them. The ships and ship-stores of the Spanish king were being destroyed and Spanish territory was being ravaged. But after all Spain was a great monarchy and this was only a distant corner of it. Drake and Norris felt that something more definitive must be accomplished. They proceeded, therefore, to burn the part of the town which they had occupied, along with its contents, to reëmbark their weakened troops with their scanty plunder, and to proceed further on their voyage. They hesitated to go further southward or westward without following the queen's known wish that they should first visit Santander and perhaps other ports on the coast of Spain, with the object of destroying Spanish shipping, but at a council called by Drake the ship-masters and more expert seamen gave a welcome opinion that with the prevailing westerly wind it would not be safe to carry the ships any further east, no harbor of refuge being in their possession in that direction. The generals, therefore, gave the order to proceed southward toward Lisbon, their original destination, and against an adverse wind the fleet, now consisting of one hundred and forty-six vessels, beat slowly down the coast of Portugal.[1]

The fifth day out, May 13th, they at last met the earl of Essex and his party. The popular nobleman was received

[1] *State Papers, Dom., Elizabeth*, ccxxv, 31; Wingfield, in Hakluyt, *Voyages*, vi, 483–495; Bor, xxvi, 26; Oppenheim, *Monson's Tracts*, i, 194–200.

with joy by the body of the expedition, whatever qualms the leaders may have had about the queen's opinion of their conduct. It was obviously impossible to send him home now. Essex, his brother, Walter Devereux, Sir Roger Williams, who held a commission to take the place of Norris in case of his disability, Sir Philip Butler, and one of the Wingfield brothers, Sir Edward, had sailed with Captain Goring on the Swiftsure from Falmouth with the same wind with which the main fleet had left Plymouth, but ignorant or regardless of the intended stopping places they had sailed directly to the mouth of the Tagus, and had since been coasting from Cadiz to Vigo, looking for Norris and Drake, utilizing the time by capturing a few vessels loaded with grain and wine, and making several rapid forays inland from the Portuguese coast. On the same stretch of coast Drake gathered up three or four vessels previously separated from the fleet by bad weather.[1]

They had now reached Cape Roca at the northern entrance to the Tagus, the port of Lisbon, but, after holding a council, decided to drop back to Peniche, a few miles to the north, and to lead the army to Lisbon from the land side while the fleet should go around by sea. The disembarkation was successfully accomplished on the afternoon of May 16th, though there was some sharp fighting with a Spanish force from the town under the count of Fuentes. The fiery Essex, his brother, Sir Roger Williams, and their companions, who had been missing all the good fighting at Corunna, were the first ashore, wading up to their shoulders, the only mischance being the drowning of some twenty-five men by the upsetting of a boat in the heavy surf. They then carried on a running fight with the enemy among the sand hills until the Spaniards retreated inland. The town of Peniche, being unfortified, was taken without difficulty. The Portuguese officer who held the adjacent castle, after a show of delay

[1] *State Papers, Dom., Elizabeth*, ccxxiv, 22, ccxxvii, 35; Wingfield, in Hakluyt, vi, 495; Bor, xxvi, 26; *Acts of the Privy Council*, xvii, 188; *Stowe MSS.*, clix, 370.

and resistance, on being assured that Don Antonio was actually landed, surrendered it to him as king of Portugal the next morning.

The fact that the king was now in the country he claimed became from this time forward an important factor in the movements of the expedition. The small supplies of weapons and ammunition found in the castle were handed over by Norris to Don Antonio and his personal followers, and a proclamation was issued forbidding to the English and Dutch all plundering of the inhabitants, on the ground that they were allies. The first soldier who violated this order was hanged by Captain Crisp, the provost marshal, before the house he had broken into, with a statement of the cause pinned on his breast. This policy was continued the whole time the expedition was in Portugal, though it deprived it to a great extent of fresh supplies and cut off all chance of booty. The lack of artillery, cavalry, transport wagons and victuals troubled the generals less than it might have done had they not hoped within a few days to have the whole country at their service.

But all anticipations of a general rising proved illusory. During the first day a few of the peasantry and lower clergy came in to make their submission to Don Antonio, to promise him supplies and to assure him of the arrival of troops. But no troops came except an insignificant body of forty horsemen and half a company of foot a few days later. Neither gentry, citizens, nor peasantry declared in general for him. Recent Spanish governors had done their work too well and earlier Portuguese kings had done theirs too badly for national spirit now to assert itself.

The next day but one after their landing, May 18th, General Norris, with the army arranged in three divisions, set out upon his march. Each soldier had three days' provisions with him and as much ship-biscuit as he could carry. Norris marched in advance with Don Antonio, Prince Emmanuel and the earl of Essex. Drake stood on a slope as the army passed by, encouraging them by calling out good wishes to

the officers, promising to sail with the ships and the six companies that had been left with him for the Tagus, and to meet them in the harbor of Lisbon in a few days. One company was left behind to garrison the fort of Peniche. Peniche is forty-five miles from Lisbon; the road leading over the hills of Torres Vedras and through a series of small towns and villages. The march over this route took six days. The enemy hung around their route and each day made some opposition to the invaders, but the English each night managed to lodge in the quarters occupied by the Spaniards the night before. The English army also made a deviation from its route to attack Alcantara, where a Spanish force was gathered. This fighting entailed some losses. But the battle of the Spaniards was by this time being fought far more effectively by sickness, want and other unfavorable conditions among the English themselves. The crowded ships, the hot climate, the excesses at Corunna, the privation on this march, the poor physical stamina of the troops themselves all caused a steady and rapid loss by disease and death. Every conflict with the enemy had taken its toll, especially from among the officers. Captains Spencer, Sydenham, Young, Cooper and Pugh had already been killed in battle, besides several others who had died of disease or were now lying fatally ill.[1]

Still another cause of diminution of strength and numbers was the voluntary desertions and involuntary separations from the main body of the expedition. This was an old trouble. During the very earliest days of the enlistment it was necessary to clothe Norris and Drake with special powers for the punishment of men who had enlisted and afterward deserted. More than a thousand deserted during the month of idle waiting for the wind at Plymouth. These early losses were soon replaced, but not those that occurred after the fleet sailed. The first two days at sea saw the separation of some twenty-five ships and their companies of almost two

[1] Birch, *Memoirs of Queen Elizabeth*, i, 59; Lodge, *Illustrations of English History*, ii, 379; Wingfield, in Hakluyt, vi, 494–500; *Stowe MSS.*, clix, 370; *Spanish Diarist*, quoted in Hume, *The Counter-Armada of 1589*, 48–60.

thousand men, few of whom rejoined the fleet. On the voyage between Corunna and Peniche still others were scattered, some running into Rochelle, others returning to Plymouth with tales of uncertainty as to the rendezvous, of scarcity of victuals and the lack of pilots. Such refugees were treated with much harshness by the government. Those at Rochelle were sternly ordered to rejoin the fleet and those at Plymouth were arrested and carefully examined as to the truth of their statements; but these measures could hardly bring about their reunion with the fleet. After the landing at Peniche and the commencement of the march overland, in the overpowering heat, and in constant engagements with the enemy, an average of about two hundred died each day.[1]

It was, therefore, a sadly depleted as well as poorly equipped army that appeared in the suburbs of Lisbon on the 25th of May, to find the garrison and outlying population all withdrawn back of the city walls. The garrison consisted of a small body of Spanish and Italian troops under the command of the cardinal-archduke Albert, nephew of Philip and viceroy of Portugal. The populace of Lisbon, like the rest of the population of Portugal, was probably at heart in favor of Don Antonio, but was so terrorized by the strict rule and close espionage of the Spanish governor that they dared not show their sympathies.

The attack on the city began immediately. There was no lack of vigor or military skill on the part of the English commanders nor spirit on the part of the Spaniards. Within half an hour after the English had occupied the suburbs the garrison made a furious sally which, although met at first by the Dutch colonel van Meetkerken alone, soon involved Norris, Essex and most of the other leaders. Several were killed but eventually the Spaniards were driven back through the gate and the English almost entered "peale meale." A false attack and an ambuscade were made by the English the same night, in the attempt to draw the garrison out to fight. The suburbs afterward were systematically occupied

[1] *Acts of the Privy Council*, xvii, 188, 226, 245, 321, 334.

and fortified, an attempt on the town made on the second day, and a night sortie of the garrison driven back with loss on the third. The garrison was also forced, in order to protect their position, to burn that part of the town which lay nearest to the wall. But what more could be done? There was no rising for Don Antonio, the army had no artillery, the losses by wounds and disease increased steadily, they were short of ammunition. A participant tells how "it would greeve any man's heart, when we call 'shot, shot,' to hear it answered that we want both powder and match, and must meet their shott, both horse and foot, with our pike." Notwithstanding the eager courage of the English their numbers were not large enough to invest the city completely, and, as at Corunna, news came of reinforcements being brought up by various leaders of the Spanish army.[1]

On the fourth day, therefore, a council of the colonels was called by the general to determine on future action. Antonio promised them that before the next night was over three thousand Portuguese would be with them in arms; some trusting to this urged the general to send a detachment down the shore to the fleet at Cascaes to bring up the artillery and ammunition; others distrusting these hopes advocated an immediate abandonment of the siege of Lisbon and a return to the fleet in force so that operations might be directed elsewhere. Norris decided to wait over one more night to test the first possibility and if that failed to follow the second plan. The night passed away and no natives appeared. On the 29th of May, therefore, the army was put on foot, Essex, Norris and Williams stationing themselves on the main street to guard against an attack till the troops were actually on their way. The march to Cascaes was made in one day, disturbed somewhat, but not seriously, by shot from the galleys on the river. Two days after their arrival they received welcome news that the Spanish garrison of Lisbon had left

[1] Ralph Lane, *Stowe MSS.*, clix, 370, 371; *Spanish Diarist*, quoted by Hume, *The Counter-Armada of 1589*, 59–63; Roger Williams, *Brief Discourse of Warre*, 8–10.

its stronghold to attack them in the open field, and was now at St. Julian, but three or four miles away. With a curious mixture of chivalry and generalship, Norris wrote a formal note to the Spanish commander giving him the lie for spreading the rumor that the English had abandoned Lisbon for fear of a fight with the Spaniards, and challenging him to meet him with his whole army the next day. Essex sent by the same messenger a personal challenge to Count Fuentes or any one of equal rank in the Spanish troops to fight out the quarrel of the two nations in a duel, or with six, eight or ten on each side. Otherwise, he offered to be in the centre of the van of the army the next day "with a red scarff over his left arm and a great plume of feathers of sundry colors on his kaske." He would stand so close to whosoever should come against him that his rapier would be long enough to fight with any one else's pike.[1]

But notwithstanding all this promise of fighting no battle took place. A sudden panic attacked the Spanish soldiers, their officers were obliged to draw them back in the night into Lisbon, and the English found no one at St. Julian when they arrived there. The English messenger with the challenge followed the Spaniards to the city but got no satisfaction except a threat of hanging for bringing such a message. Norris had taken the precaution to append to his note a warning that any ill-usage of his messenger would be requited by the execution of the prisoners of highest rank in his hands, so the envoy came safely back and the army returned again to Cascaes.

Drake with the fleet and his six companies of soldiers had immediately after his arrival at the mouth of the river occupied the town of Cascaes and laid siege to the castle in the name of King Antonio, but had spent the next six days in an indecision and inaction which still remain unexplained. As the result of a council of his officers and principal seamen he had just equipped two-thirds of the best vessels,

[1] Ralph Lane, *Stowe MSS.*, clix, 372; Hume, *The Counter-Armada of 1589*, 63–68.

manned them with the least sickly crews, and was preparing to make a dash on Lisbon harbor when Norris and the army appeared on their retreat. The castle was surrendered after a show of force and St. Julian also was offered by its commander to Don Antonio if some troops should appear before it. But the generals were anxious now to concentrate all their troops at Cascaes. Several vessels were therefore sent to Peniche to withdraw the garrison that had been left there. They were, however, too late, as Captain Bertie had received word of the abandonment of Lisbon and retreated overland in haste, leaving all his provisions and some of his men to fall into the hands of the Spaniards, who immediately occupied the place and cut the throats of those they found there. The vessels, therefore, returned to Cascaes.[1]

The greater part of the army was now reëmbarked, but the fleet remained in the harbor for ten more days. During this time the supply ships which had been sent from Plymouth about a month after the sailing of the original expedition came into the harbor, but their arrival was too late and the provisions too disappointing in amount and character to affect appreciably the fate of the expedition. According to an official report there were now 5375 serviceable men and 2791 sick.[2] With the provision ships came letters from the queen and council which were little calculated to comfort or encourage the commanders. They were informed that the expenses of the expedition having gone far above the original £20,000 which the queen was to contribute, all she had spent in excess of this sum they would be expected to repay. They were scolded bitterly for neglecting to destroy the ships in the northern ports of Spain, and for their delay at Corunna. Their request for larger ordnance was refused, and they were commanded imperiously to restore Don Antonio to the throne of Portugal, and then to make an

[1] *State Papers, Dom., Elizabeth*, ccxxiv, 77, 79; Drake to Burghley, June 2, 1589, Strype, *Annals* (ed. 1824), iv, 11–12.

[2] *State Papers, Dom., Elizabeth*, ccxxiv, 78.

attack on the Azores. Letters to Essex reiterated the demand for his return.[1]

As a partial counterpoise to this discouragement came a sudden stroke of good fortune. This was the appearance in the harbor of Cascaes of some eighty "hulks" from Hamburg and other north German cities, the Red Cock, the Peter of Lubeck, the Jonas of Dantzig, the Red Hart of Hamburg, the Rose of Stralsund, the David of Greifswald, and others, loaded with grain, cordage and other supplies intended for sale in Spain. These Drake and Norris seized on the ground that their cargoes were contraband. They were provided with crews and filled with sick soldiers and soon dispatched for England. Advantage was taken of this opportunity to remove all soldiers from the Dutch fly-boats which had been pressed into the service for transportation purposes, and to offer to their masters the value of their hire in the captured grain if they would take it back to England to sell. The wind, however, now being favorable for Rochelle, their original destination, the Dutch captains preferred to forego their pay, and made quick use of their liberty by entering upon their salt voyage.[2]

This capture was, however, almost the only piece of good fortune the expedition enjoyed. During a calm, while the sailing vessels could not move, a few Spanish galleys from up the river attacked the stragglers, captured or destroyed three vessels and killed two captains and a number of men. There was long indecision as to the next movement. An envoy from the shereef of Morocco, Reis Hamet Beni Hassan, appeared at Cascaes and there was some discussion of a plan to sail to Barbary, refit and return to make an attack on Cadiz. This, however, was given up, although when the ambassador left he was accompanied by a gentleman representing Don Antonio and an English captain sent by the generals. There was also discussion of the possibility of fulfilling one of the queen's late instructions by making

[1] *State Papers, Dom., Elizabeth*, ccxxiv, 53, 85, 86.
[2] *Acts of the Privy Council*, xviii, 205, 366, 446.

another attempt to capture Lisbon, but as they had no more artillery than before this was obviously impracticable. In the mean time the soldiers were dying. the numbers ran down to 4,000 effective men and soon fell below that number. The expedition was evidently disintegrating. Colonel Devereux and Colonel Sydney, both seriously ill, unwillingly allowed themselves to be sent back to England. Essex also succumbed at last to the commands of the queen and sailed for home, where he was received with a "Welcome into England" from the same indefatigable court poet who had written the Farewell when the expedition left a few months before.[1]

The decision as to future action was finally left to the weather. All the troops being aboard the ships, orders were issued that if the next wind should blow from the north the fleet would make for the Azores, if from the south, for the Bayona islands at the mouth of the bay of Vigo, two hundred miles up the Spanish coast. The answer came from the south. Heavy weather with prevailing southerly winds left the commanders little responsibility for the direction they should take when they had once left the harbor. The fleet was widely scattered but gathered again in the bay of Vigo by June 19. Here the whole available force, now reduced to 2000 effective men, made its fourth landing, and immediately attacked the city of Vigo. Drake entered it from one side, Williams from the other, but it proved to be deserted and depleted of all supplies except wine. The population had taken refuge in Bayona, which was too strongly defended for attack with such a weakened force. However, every house in Vigo was burned, and two long days were spent in reducing the neighborhood to desolation, burning villages, houses and crops for seven or eight miles on both sides of the town and some distance back from the shore. The only

[1] *Cal. of State Papers, Venetian*, 1581–91, II, 13, 15, 16, 30, 33, 61; *State Papers, Dom., Elizabeth*, ccxxiv, 77; *Traicté Paraenetique . . . par un Pelerin Espagnol*, quoted in Oppenheim, i, 211 n., George Peele, *The Right Hon. Earl of Essex, His Welcome into England from Portugal;* Corbett, *Drake and the Tudor Navy*, ii, 345–9.

mischance was that some sailors, going across the river without permission for the sake of pillage, were beaten back by the Spaniards, and punished on their return by their own commanders for neglect of orders.

It was now determined to make one more attempt to carry out one of the original objects of the expedition. The army and fleet were to be divided. Sir Francis Drake with twenty of the best ships should go to the Azores to watch for the West Indian fleet of Spain, Norris with the remainder should return home. But even this plan was not carried out. The worst storm of the whole voyage came on, Drake's fleet was forced to sail for home instead of the Azores, and Norris within the next few days gathered together the remainder of the fleet, victualled and watered the ships as best he could, and setting sail, after a voyage of ten days, reached Plymouth a few days after Drake. This was on the 28th of June, two months and ten days from the day they had left the same harbor. All the ships were now gathered there except some stragglers whose masters had taken them directly to their home ports, and those which had served as convoys to the captured German grain hulks and preferred to take them to ports further away from the observation of the generals.[1]

The expedition which had left Plymouth April 18th had been sufficiently ill-equipped, ill-instructed and ill-supported, but as it returned it was little more than the wreck of an armed force. The ships themselves had not suffered appreciably; the six queen's ships were all intact and but few of the merchant ships which had been pressed into the service failed to return. But the losses in men were deplorable. Two of the colonels and thirty captains had been killed or died of disease. In one ship, of the three hundred men that made the original complement of sailors and soldiers, one hundred and fourteen died and but eighteen of the remainder

[1] Wingfield, in Hakluyt, vi, 510–15; *State Papers, Dom., Elizabeth*, ccxxiv, 27, 53, 78, 85, ccxxv, 5, ccxxvii, 35; *Simancas Papers*, 8 July, 1589; Strype, *Annals*, iv, 11; Evesham, *Harleian MSS.*, clvii, 167; Bor, xxvi, 27; Oppenheim, *Monson's Tracts, Navy Records Society*, i, 212–223.

were able to work as the vessel entered the harbor. On another ship but eight could help handle the sails as they began the homeward voyage. Estimates of the total losses vary as much as do statements of the original number taking part in the expedition. The lowest number given for those who died while the fleet was away from England is 3500; another participant estimates the losses at 6000, still another at 11,000. A contemporary states that of 1100 men of the rank of gentlemen who took part in the voyage but 350 returned. The survivors were, moreover, in many cases permanently broken in health.[1]

Dulled as it was, the queen and council were loth to lose finally the use of a weapon which they had done so little to put or keep in condition when it would have been more effective. Scarcely had the news of its arrival reached court when the queen sent down word announcing the arrival of a fleet of German supply ships at Torbay, supposed to be bound for Spain, and giving authority to Norris and Drake to impress new ships and men for their capture. At the same time she asked the generals what enterprise could be immediately entered upon with the ships and men already in their hands, and gave command to the naval officers to hold enough supplies in readiness to send the fleet out again to destroy the remainder of the king of Spain's ships in Santander, or to intercept the Indian fleet at the Azores. But no one in the fleet was in a mood or in a condition to start upon a new service, and only a realization of its condition was necessary to show the impracticability of any such plan. A few days afterward, therefore, Drake was ordered to bring the queen's ships into Southampton harbor for cleaning, and somewhat later to hand them over to the permanent naval officials. The merchant ships were gradually returned to their home ports, their masters receiving more or less adequate payment for their services. The surviving soldiers were all dismissed before the 25th of July, each receiving five shil-

[1] *State Papers, Dom., Elizabeth*, ccxxv, 27, 31; Oppenheim, *Monson's Tracts*, i, 216.

lings and a gift of such arms and uniform as he had been provided with, which he was expected to sell to make up the amount which he could fairly claim as his wages.[1]

The disorders of these discharged soldiers proved to be another part of the price which the country paid for this expedition and its bad management. England was unused to war and these men were, in a large number of cases, a restless and incompetent element in the population from the beginning. Now demoralized by the experiences of the campaign, dissatisfied with their wages, turned adrift with small means of support at Plymouth, Southampton and other ports, they gathered in riotous bands and committed thefts and violence. Fears were felt lest they should come to court. Many gathered at London and the council wrote repeatedly urging the mayor to severity, and authorizing the adoption of extraordinary means for their punishment and forced departure to their homes. Five hundred of them at one time gathered at Westminster and threatened to attack and pillage Bartholomew Fair. Four were hanged soon afterward, one calling out on his way to the gallows that this was the pay they gave soldiers for going to the wars.

On the first of August there were still disorderly crowds of soldiers in the city, and all through the succeeding months efforts were being made to clear the country districts of them. On the 24th of August a proclamation was issued concerning the soldiers and sailors in the "late Portingall voyage," stating that "they have since their returne, in most undutiful sort, assembled themselves in disordered troopes, contrary to the laws and statutes of this realme, and have also presumed to repaire to her majestie's court, contrary to a former proclamation made in respect of the infection of the ports and ships from whence they come." It forbids these assemblies and orders the discharged soldiers and sailors to hand in to the proper officials their claims for any money owed them and then to disperse. Burghley, all of whose conserva-

[1] *State Papers, Dom., Elizabeth*, ccxxv, 26, 39, 58; *Acts of the Privy Council*, xvii, 352, 358–361, 380–382, 386, 393, 404.

tive feelings were shocked by the turbulence of the soldiers, writes from court that he was engaged in trying "to pyk quarrell by law to some of these mutinose soldiers to hang them by common law, as felons, for by martial law we here have no authoritie." At one time the mayor was forced to call out the city militia to the number of two thousand to scatter a large band of them. Nevertheless the trouble still continued, and almost three months afterward, on the 13th of November, another proclamation was issued, stating that the queen had appointed a provost marshal in each county, and a knight marshall of her household and given them orders that "all mariners, soldiers, maisterless men and other vagrants," who did not within two days after the proclamation obtain a passport to their homes from the nearest military captain or justice of the peace, should be immediately executed by martial law. All through December there were disorders, and the turbulence of discharged soldiers from this time forward became one of the chronic difficulties of the country.[1]

On the first return of the ships, Elizabeth seemed inclined to approve and appreciate what had been accomplished. Ten days after their arrival at Plymouth the council wrote to Norris and Drake saying that the queen was much pleased with the good success of the expedition, and would write to them personally. On the same day a draft of a letter from the queen was prepared, assuring the two generals of her thankful acceptance of their service, her conviction that all had been done which skill and valor could do, and asking that her thanks be conveyed to the officers and men. But her feelings soon reverted to the critical attitude in which she had all along held the expedition, aggravated now by its obvious failure to pay its expenses or to accomplish any great definite success.

The two commanders learned that they were to bear the brunt of the responsibility for the losses of the expedition.

[1] *Acts of the Privy Council*, xvii, 387, 416, 420–1, 453, xviii, 114, 214, 221–5, 229, 234, 420; *Dyson's Proclamations*, 275, 276; *State Papers, Dom., Elizabeth*, ccxxviii, 10, 17, 22, 23, ccxxix, 8, 21, Stow, *Chronicle*, 756, 757.

The financial settlement was taken out of their hands. By their commissions they had a right to dispose of all captures and to divide the proceeds among the adventurers in the expedition, but when they attempted to direct the sale of the contraband cargoes captured at Cascaes they were sharply forbidden to do so. The disposal of the booty and the disposition of matters in general after the return of the fleet were carried out by various petty officials under instructions from the queen and the privy council. The repayment of masters of impressed ships, the disbandment and payment of the soldiers, the support of the sick and wounded, the retransport of the Dutch allies, were all ordered by the queen to be provided for out of money received from or charged against the captured grain, and neither Norris nor Drake was consulted about the matter. They found themselves without occupation or authority. On the 27th of July, they were ordered to come to London with their accounts. Three weeks later they were informed that a commission, made up of eight navy and customs officials and prominent London merchants, with Sir John Hawkins at the head, had been appointed to investigate and settle the financial operations of the expedition, and they were required to give them all assistance possible.[1]

Worse was still to come. The poor financial showing made by this investigation, which continued for several months, along with the criticism of the actions of the generals made by the queen's trusted officers who had been on the journey, seems to have embittered her and finally led to a sort of court-martial of both Drake and Norris. In October, they were required by the council to give formal answers to a series of articles charging them with having failed to perform the instructions given them by the queen. No information exists concerning the queen's opinion of the full defence the commanders gave to these charges, but they were both of them still in disgrace at the close of the year. In the spring

[1] *Acts of the Privy Council*, xvii, 352, 450, xviii, 3, 5, 9, 11–13, 17, 19, etc.; *State Papers, Dom., Elizabeth*, ccxxv, 15, 26, 30, 39.

of 1590, there are rumors of overtures by King Philip to Drake to enter into the service of Spain rather than remain in disgrace in England. But the cloud gradually passed away. In April, 1590, Norris was appointed by the queen to service in Ireland, and in the same month Drake was given charge of the defences of Plymouth harbor. But the oversight of coastwise defences and the building of an aqueduct to bring fresh water into Plymouth, while Hawkins, Frobisher and other admirals were commanding English fleets at sea, was little less, in view of Drake's earlier exploits, than retirement from the service. It was not until 1594, when he was put in command of the last fatal expedition to the West Indies, that Drake emerged again from obscurity. Norris had a shorter period of purgation and after a few months' service in Ireland was within the year again in command of an army, this time in Brittany.[1]

So the failure of 1589 was gradually dropped from memory. For it was a failure in the eyes of the queen and of most of her subjects. It is true that its misadventure might be extenuated. Norris wrote to his brother on his return to Plymouth that much had been done for her majesty's service and that if her enemies had done as much against England they would have made bonfires through most of Christendom. One of the colonels who was on the expedition enumerated its achievements: "We have won a town by escalade, battered and assaulted another, overthrown a mighty prince's power in the field, landed our army in three several places in his kingdom, marched seven days in the heart of his country, lien three nights in the suburbs of his principal city, beaten his forces into the gates thereof and possessed two of his frontier posts." Moreover, it was not the commanders who were responsible for the most serious weaknesses of the expedition. Two years afterward a competent critic declares that "had the journie bine as well performed as it was in-

[1] *Cal. State Papers, Dom.*, 1581–90, 608, 611, 614, 625, 626, 635, 642, 658–661, 695, 709; *Acts of the Privy Council*, xviii, 46–50, 153–5, 162, 238; Oppenheim, *Monson's Tracts, Navy Records Soc.*, i, 194–200.

vented we neade littel have doughted the Spaniard at this daye," and another, that "the action was overthrown before their setting out from home, they being weakly provided of all things necessary for so great an expedition." [1]

Several actions of the generals might be seen afterward to have been ill judged; such were the delay at Corunna, the neglect to revictual the ships there, the decision to approach Lisbon by land instead of by sea, the failure of Drake to go up the river from Cascaes. And certainly the lack of wind at Plymouth and the want of support from the Portuguese before Lisbon were most unfortunate. But the long delay in preparation was largely the fault of the queen's principal ministers; it was the queen herself who refused to let them have artillery, who stinted them of food, who gave them unwise and ambiguous instructions, who subjected them to the constant discouragement of carping criticism, who cared more that Essex was out of her sight than that fifteen thousand of her subjects and their commanders were sailing away to destroy a fleet and capture a kingdom with only two weeks' supplies aboard. Everything that we know now leads to the belief that a fleet well provisioned and well armed, sent with clear instructions directly to Lisbon, could readily have captured that city, placed Antonio on the throne of Portugal, given occupation near home to the armies and war-ships of Philip, and won for the English friendly trade routes to the south and east. Even if a certain proportion of the material conditions had been unfavorable the abilities of the commanders and the courage of the men were sufficient to attain measurable success. But the fatuity of the queen, the mistakes of the leaders and the unfriendliness of the elements formed a combination of misfortunes that left the great ends of the expedition unattained and made its history one of loss, privation and failure, all the harder to bear because success was so nearly attained and would have been of such inestimable value.

[1] *State Papers, Dom., Elizabeth*, ccxxv, 5, ccxxxix, 120; Wingfield, in Hakluyt; Oppenheim, *Monson's Tracts, Navy Records Society*, i, 180.

It is because this expedition was so characteristic of the time that it has been treated here with an amount of detail that may seem disproportioned to its importance. It was one of those familiar half-naval, half-military expeditions of which so many were to follow; it disclosed the essential weakness of Spain, so clearly recognized after this time by the more enlightened English leaders; it was an army and navy typical of the period, poorly equipped and uncertainly directed, but so infused with vigor and reckless bravery as to overcome many obstacles and to yield rather to its own inherent weaknesses of organization than to the attacks of the enemy or the difficulties of its task. Doubtful instructions, a delayed departure, empty provision barrels and a southwest wind were familiar forms of adversity for English fleets leaving their home ports in the sixteenth century. The expeditions that followed that of 1589 on the continent and upon the seas, in the ever widening sphere of warfare, were only too similar to it in their equipment and in their fate.

CHAPTER X

THE COMMON CAUSE

THE expression "the common cause," which falls so readily from the lips and pens of the kings and ministers of a certain group of the countries of Europe at this period was intended to mean the common cause of the reformed religion against the Roman Catholic church. But it meant also common opposition to the widely extended enterprises of Spain, the great guardian of the Roman Catholic church. This opposition brought England into especially close relations with the two countries immediately across the channel, France and the Netherlands. From that side she was most seriously threatened by Spain; upon the success or failure of Spanish policy in the internal affairs of those countries depended their hostility or friendliness to England. This common interest of the group of western countries and the special dependence of England on her nearest neighbors were quite obvious to the men of the time. As early as 1585, Burghley speaks of the "reasons which ought to cause, or rather to hasten her majesty to yeld succors to all her frends and neighbors distressed, whose causes are so joyned with her owne in respect of the common enemy as no distynctions can sever them, neither can any witt conceive ther dangers to follow, but that ours must follow *concomitanter*, and to say the truth the common enemy hath a more ardent malyce against England than against the others, but they lye in his waye and he cannot leape over them to assayle us." [1]

The especial intimacy between England and the United Netherlands, based on this common interest, dated back

[1] Burghley to Herle, July 18, 1585, *State Papers, Dom., Elizabeth*, clxxx, 33.

some sixteen years, though it had only been reduced to formal terms by the treaty of 1585. The little group of provinces and cities across the Narrow Seas which had risen in revolt in 1568, formed themselves into a union in 1579, and declared their complete independence of Spain in 1581, had drawn into their struggle volunteers and allies from many surrounding regions, but from nowhere so largely as from England. As early as June, 1572, Captain Thomas Morgan with some three hundred Englishmen, among them Roger Williams, destined to become one of the best known soldiers of the age, slipped across from England and presented themselves to the commander at Flushing, which had then recently shut its gates against the Spanish governor. Six weeks later Sir Humphrey Gilbert came over with four ships and six hundred soldiers, and was also admitted into Flushing although with some hesitation. The governor might well be reluctant to give entrance to so large a body, even of professed friends, for some English merchants in the Netherlands were at this very time urging the queen to take advantage of the confusions to gain possession of either Flushing or Middleburg as a continental outpost for English trade and influence. But although the queen trifled with the idea for a while, no active steps were taken, the English volunteers remained faithful to their new employers, and a Captain Chester joined them with another company later in the same year.

There was no time after this when English soldiers were not to be found in the service of the estates, and there were few Englishmen of military interests or ambitions who did not at one time or another follow their restless instincts to the Netherlands. They fought the Spaniards outside of Flushing and joined the Netherlanders in a campaign against Bruges and Tergoes in the summer of 1572. There were Englishmen with Count Louis of Nassau at Mons when that city surrendered in September of the same year. Alva's principal correspondent in England sends him word early in 1573 that six hundred English soldiers are about to depart for Holland. Indeed in April and May of that year there

were so many volunteers gathered on the English coast awaiting opportunities to go over to the Netherlands that the queen was obliged to give orders for their dispersal as vagabonds. They were a reckless and disorderly set. A body of them seized a Hanse ship lying in the Thames about to sail for Hamburg and tried to force its crew to carry them over to Holland. It was only a hasty appeal from the merchants of the Steelyard to the privy council that brought about the release of the vessel and the arrest of the leader of this band. Englishmen took part in the engagements at Flushing, Harlem, Middleburg, and Zierickzee in 1573, were at the surrender of Valkenburg in 1574, and suffered defeat with the troops of the estates in Duiveland in 1575. In 1578 there was a flood of volunteers to the Netherlands, among them John Norris, later to be the leader of the Portugal expedition, as described in the last chapter, and to become a typical warrior of the common cause in three countries. Many of these volunteers perished in the great overthrow of Gemblours in January, 1578, but many survived, and it was Norris, Yorke, and Bingham with an English regiment, that saved the day of Rymenant fought against Don John of Austria, seven months later. In 1580 Norris with a company of 150 English was at Kempen, in 1582 in Gelderland, and in 1583 in command of English volunteers in the Waesland. In 1584 Colonel Morgan was in Antwerp with an English regiment and forced to contend with the prevailing military malady of the time, the mutiny of his soldiers, dissatisfied on account of the lack of pay. He degraded two of his captains and beheaded one of them, Richard Lee.[1]

These troops were adventurers, without commissions or formal permission from the queen to go to the Netherlands.

[1] Lettenhove, *Relations Politiques des Pays-Bas et de l'Angleterre*, vi, 425, 440, 454, 477, 483, 487, 534, vii, 792; *Acts of the Privy Council*, viii, 97, 102, 176, 182; Meteren, French Trans. (ed. 1618), 157; *Cal. State Papers, Dom.*, 1581–90, 253; *Cal. State Papers, Foreign*, 1572–4, 130, 153, 160, 169, 173, 180, 327, 348, 1575–7, 171, 1577–8, 247; Camden (ed. 1688), 184, 207, 244, 289; Cotton to Burghley, Aug. 25, 1572, Wright, i, 436.

Their departure, however, was connived at and at times even encouraged. Their leaders corresponded with Burghley and other members of the privy council, orders were sent to them from the queen, and at least once a body of them were marshalled before her at Greenwich before their departure. In 1573 a certain Captain Pickman was secretly sent to Flushing with orders to tell Sir Humphrey Gilbert that the queen wished him to stay in that town, and to urge the inhabitants to depend on English rather than French help. At the same time Pickman was to "soe demeane himselfe as though he and his companions departed out of England thether without her Majesty's assent." [1]

More than once a Dutch officer appeared in England with a request from the prince of Orange that he be allowed to recruit troops to serve in the Netherlands. The policy of the queen varied from one time to another. Occasionally she issued proclamations forbidding all volunteering, as being unfriendly action against the Spanish government, with which she was still nominally in alliance. But again she yielded to the appeals of Orange and the dictates of her own immediate interests, and either deliberately permitted volunteering, or even made half promises to send an army into the Netherlands. In 1578 in her exhilaration at the news of the important part played by the English volunteers at the battle of Rymenant she wrote to her envoy in the Netherlands suggesting the possibility of sending over 10,000 or 12,000 men. But like former proposals this came to nothing, or at most served merely as an excuse for a few more restless adventurers passing from England across the channel, and seven more years passed before official aid was given by England to the Dutch rebels.[2]

The formal alliance between Elizabeth and the United Provinces and the establishment of a permanent English garrison there dated from the treaty of Nonesuch, signed August 10, 1585. The estates of the seven provinces, now pledged to the same fortunes by the Union of Utrecht, pressed

[1] *Harleian MSS.*, xxxvi, 265. [2] *Relations Politiques*, x, 684, 685–7, 708.

hard by the energy and genius of the duke of Parma, deprived by assassination of their great native leader and repulsed by the king of France, turned with desperate solicitude to England. Elizabeth by this time fearful almost equally of French intervention and Spanish conquest in the Netherlands, and committed at last to war with Philip, invited the advances of the estates, and agreed to the suggestions of the delegates when they arrived in England in July, 1585, with a readiness limited only by her usual caution, parsimony and procrastination.

The estates offered to place the queen in the same position as that in which the king of Spain had stood to them before their declaration of independence; that is to say, to make her their sovereign ruler, subject only to their ancient rights and privileges. This was the position held for a while by the duke of Anjou, and recently offered to the king of France. Although the offer meant the lordship of some ninety walled towns, besides many villages and broad open lands, Elizabeth, like Henry, refused such full and burdensome sovereignty. The alternative request of the estates, however, that she should take them under her protection and give them military assistance, was assented to, and the conditions after long discussion embodied in a treaty of thirty articles. This treaty of 1585, the "contract," as it is regularly called, remained the basis of political relations between England and the Netherlands for twenty years, although it was frequently during that period subjected to dispute almost to the breaking point. By its terms the queen agreed to keep constantly in the Netherlands, until peace was obtained, a body of 5000 foot and 1000 horse. The costs of levy, transport, support and wages of these soldiers should be paid in the first place by the queen, but repaid to her after the conclusion of peace by the United Provinces. These troops were to be under the command of an English nobleman, or "person of quality," representing the queen, with the title of captain general or governor general. He was also to exercise certain political powers through mem-

bership, along with another English representative, in the council of state, and it was provided that he should assist in the much needed work of restoring public authority, military discipline and religious quiet, as well as in the work of military defence. The governor general, officers and soldiers should all take the oath of loyalty to the estates general, reserving only their allegiance to the queen; and mutual promises were made not to treat secretly with the enemy or with foreign powers. The queen also agreed to act along with the council of state as arbitrator in the quarrels between the provinces and the cities that were only too frequent in the poorly amalgamated body of the Netherlands. The ships of each party to the contract were at liberty to make free use of the harbors of the other, and a joint war fleet was to be placed in the channel, contributed to equally by both powers, and sharing booty equally, but commanded by the lord high admiral of England.

In addition to this general plan of combined defence of the provinces against Spain, another group of provisions, making up in fact far the greater part of the treaty, was directed to the protection of the queen against financial loss in carrying out her part of the agreement. In order that she might be assured of the repayment of her advances, and possibly with other hopes on her part, it was provided that the two most accessible seaports in Zealand and Holland, Flushing and Brielle, with some adjacent defences, should be handed over to England, to be garrisoned and held until the final repayment of all claims the queen might have upon the estates. The provisions for aid to the Netherlands and for the occupation and government of these two fortified cities constituted a double system of arrangements, and two distinct bodies of English troops were to be kept in the Netherlands, the 5000 foot and 1000 horse, known as the "auxiliary" troops, and the garrisons of Flushing and Brielle, known as "cautionary" troops. The queen was to pay without future reimbursement the expenses of the garrisons of the two towns, and they were to be under the com-

mand of independent governors appointed by her. These governors were not to interfere in the civil affairs of the two "towns of assurance," or "cautionary towns" as they were called; on the other hand the estates were to place no other military forces in them. One church should be set apart in each of the two cities for the worship of the soldiers according to the "English religion." The English governors and soldiers garrisoning the cautionary towns should take an oath of fidelity to the estates general as well as to the queen, should hold no intercourse with the Spanish enemies of the estates, and when the claims of the queen should be paid in full the garrisons should withdraw and the towns be restored to the estates with all their artillery and ammunition.[1]

All these provisions were made with a degree of detail, caution and mutual suspicion that boded ill for the amity and mutual help that were supposed to be founded upon them. As a matter of fact, there was from the beginning an unseemly haste by Elizabeth to take possession of the cautionary towns, while she persistently neglected to furnish the full number of the troops she had promised. At the same time there was delay in the ratification of the treaty by the estates and only a half-hearted acceptance by the Netherlands leaders of the interference in their affairs they had themselves urged. The tortuous course of events during the next three years, from 1585 to 1588, lies earlier than the period at which this history takes up the detailed narrative. The policy of the earl of Leicester as governor general, his high-handed intrusiveness in the internal affairs of the Netherlanders, the constant quarrels, the mutual distrust and recrimination, the duplicity, vacillation, ill usage, and neglect on the part of the English government, the turbulence and more than one case of treason among the English troops, combined to make the alliance all but intolerable to the leaders of the rising republic. On the other hand, the factions among the Dutch, their neglect to support the English troops, their refusal to follow the queen's advice, their con-

[1] Dumont, *Corps Diplomatique*, v, 454; Meteren, 254.

stant complaints, their suspicion, their ingratitude would soon have led Elizabeth to break the alliance, except that the reasons of self-interest that had led to its formation still existed and became stronger and stronger as time went on.[1]

However unsatisfactory these relations between the two countries, the three years from the conclusion of the treaty to the defeat of the Armada saw the building up of a strong English military body in the Netherlands. On the 23rd of July, 1585, even before the treaty was signed, some 2000 soldiers were levied in the various wards of London, at the charge of the city and the livery companies. They were clothed in red coats, placed under the command of Sir John Norris, and during the first week of August shipped for the Low Countries in a vain attempt to save Antwerp from capture. It was perhaps of bad omen that these men were pressed into the service and shipped away against their will, and that they were, as a Spanish spy reports, "taken from the dregs of the people." There were many more to follow of the same kind, and the shameful neglect to which the recruits were subjected during these early years intensified the losses by wounds and disease. But those who survived became veterans. "This is and will be, in my opinion, a most fit school and nursery to nourish soldiers. This war doth defend England. Who is he that will refuse to spend his life and living in it? If her Majesty consume twenty thousand men in the cause, the experimented men that will remain will double the strength of the realm." Such was the opinion of a captain then serving in the Netherlands.[2] But although Elizabeth showed no great inclination to consume 20,000 men, or even to fill up the 6000 promised, yet within the months following the signature of the treaty, a great many were sent

[1] *Harleian MSS.*, cclxxxvii, 157–80; Bruce, *Leicester Correspondence;* Motley, *United Netherlands* (ed. 1861), Vol. i, chaps. 6–8, Vol. ii, chaps. 9–17; Blok, *History of the People of the Netherlands*, Vol. iii, chap. 6.

[2] Stow, *Chronicle* (ed. 1631), 709; *Cal. State Papers, Spanish*, 1580–1586, 543, 545; *State Papers, Foreign, Treaty Papers*, Vol. 33; Thomas Wilford to Walsingham, Dec. 15, 1585, quoted in Motley, *United Netherlands*, i, 375, 382.

over. From Hull 450, from Yarmouth 400, and from Southampton 150 were shipped in August; in April and May, 1586, general commissions for levying men were sent through the shires and others were summoned from Ireland. Ralegh was ordered to send miners from the Stannaries, Catholics of the lower classes were pressed to serve, and well-to-do recusants as well as the established clergy were required to pay for the sending of cavalry. The Dutch congregation in London was called upon to pay for the transport of one regiment. At the same time the two cautionary towns were occupied by English troops, Sir Philip Sidney becoming governor of Flushing, and Sir Thomas Cecil, eldest son of Lord Burghley, of Brielle, November 9, 1585. Other English officers were appointed to governorships under the estates.[1]

An English garrison was thus established in the Netherlands that was destined to remain there for more than a quarter of a century, until its final withdrawal in 1616, and to serve as a training school for a whole generation of English soldiers. The officers who led the troops and the volunteers who came from the gentry had in their veins the best fighting blood of England. Leicester, Willoughby, Sir Philip and Sir Robert Sidney, Sir John, Edward and Henry Norris, Essex, Stanley, Pelham, Borough, North, Conway, Vere, not to speak of such self-made men as Williams, Morgan and many like them, were the very stuff that soldiers are made of. Fighting alongside of Maurice and John of Nassau, Count Hohenlohe and other Dutch and German officers, against the Prince of Parma and Spanish and Italian veterans, in scores of sieges, ambushes, pitched battles and night attacks, during the next few years, they learned what real warfare meant and became trained military officers. Such fights as that before Zutphen, notwithstanding its heavy cost in the loss of Sir Philip Sidney, not only tested the mettle of all, but developed the military powers of those that survived. As early

[1] *Cal. State Papers, Dom., Addenda*, 1580–1625, 232; *Acts of the Privy Council*, xiv, 54, 86, 92, 102, 119, 123; *State Papers, Foreign, Treaty Papers*, Vol. 33; Rymer, *Foedera* (Hague ed.), VI, iv, 185.

as 1589 a list of one hundred and five captains and sixty-four lieutenants, "used to arms and able to command," could be drawn up, and even the common soldiers became a trained and warlike body of men.[1]

Yet actual fighting in the open field was rather exceptional than regular. The military operations of the period gathered largely about the capture and holding of cities. Pitched battles on a large scale, although more picturesque, and perhaps more decisive when they did occur, were remarkably few. When they happened they were as often a matter of sudden chance as the result of deliberate manœuvering. Heiligerlee and Mookerheid, Moncontour and Ivry occupied the stage but a small part of the time compared with the "alarums and excursions" that took place under the walls of cities during long periods of siege. The armies of the time were largely distributed in garrisons under governors holding towns of considerable size or of important strategic location. Many months frequently went by with such garrisons inactive, except for occasional minor attacks or forays and for the constant anticipation of siege.

Far the greater part of the English troops in the Netherlands were established in 1588 in four such posts, the two "cautionary" towns, Flushing and Brielle, Berghen-op-Zoom in North Brabant and Ostende in West Flanders. The cautionary troops in the first two of these cities were even less active than most troops of the time. They were intended to be strong enough to hold the towns for the queen against either enemies or allies; they were not expected to take part in offensive operations, and were as a matter of fact seldom summoned outside the walls. Their task was of another kind. They were established in the midst of civilian communities jealous of their liberties and customs, and the English governors found sufficient occupation in keeping their military control intact, in purchasing supplies from the Dutch inhabitants on favorable terms and in the avoidance of serious internal conflicts. Except for the value of these

[1] *State Papers, Dom., Elizabeth*, ccxxiii, 35.

cities as gages or pawns to secure the repayment of other expenditure, the two garrisons were a dead-weight upon the English exchequer; for by the terms of the contract these men were not to be counted in the contingent of 6000 which the queen had bound herself to furnish, and their wages and support were not to be repaid by the estates. Nevertheless the queen and the country took great satisfaction in even this temporary occupation of a foothold on the continent, and the possession of these two strong outposts added much to the military prestige and even the military power of England.

Flushing, nestled behind its sand dunes and flanked by its two harbors, just at the mouth of the broad estuary of the Scheldt, was an ideal port for English possession. It was directly across the narrow sea from the mouth of the Thames and not more than two hundred miles from London. It was the natural port of entry for English troops and supplies, and during the long period of close alliance, most of the communications between the two countries passed through it. Sir Robert Sidney, in succession to his brother and Sir William Russell, was appointed governor in July, 1589, and remained in that position for many years. He had regularly under his command there six companies of cautionary foot and a company of horse, amounting altogether to some 850 men. But the town, situated on the most populous and fertile of the great islands which make up the province of Zealand, and connected by a canal only two miles long with the rich city of Middelburg, was growing in numbers and wealth, and both its governor and the queen realized that this was a small garrison to resist both external and internal attack. Sidney was therefore directed to keep some companies of the general auxiliary force in Flushing, whenever possible, or to send for them when there should seem to be need. As a matter of fact in the autumn of 1588 he had seven auxiliary companies with him. The governor lived in considerable state. Twelve halberdiers attended him, he had a marshal with ten assistants, a provost marshal with six tipstaves

and a porter with his men, besides the officials of the port and officers of the garrison. He was paid three pounds a day, besides his allowance as captain of one of the companies.[1]

Brielle, the second of the cautionary towns, lying some forty miles to the northward, just within the province of South Holland, owed its importance partly to its natural strength, partly to its proximity to the Hague, where the estates usually sat. It was situated at the mouth of the Old Meuse, much as Flushing lay at the mouth of the Scheldt. Then as now its great church of St. Catherine was the most conspicuous object on the horizon on approaching the Dutch coast, dominating the whole island of Vorne and the lower course of the river. It had been the first of the Netherland towns to bid defiance to the Spaniards, and so long as the allies remained strong upon the water, the broad streams that separated the island from the mainland, the narrow canal which formed the only approach to its harbor and the grassy earthworks which surrounded it made Brielle impregnable. It was moreover at this time far from the seat of war. This had its disadvantages as well as its benefits. When in 1588 the pay of the garrison was in arrears, not being able to obtain booty by plundering the enemy, as could be done occasionally by those more favorably situated, the soldiers mutinied, and could only be pacified by an advance of money made by the estates of Holland, a payment which long remained a matter of dispute between the two countries. There was regularly an English garrison of 650 men in Brielle, and in 1588 some 300 auxiliary troops were stationed there in addition. A special form of oath was imposed upon the governor and people of Brielle by the estates general, intended to secure their acceptance of the foreign garrison. Lord Borough was long its governor and had an establishment similar to that of the governor of Flushing. After the mutiny

[1] *Acts of the Privy Council*, xvi, 342, xvii, 421; *Cal. Hatfield House MSS.*, iv, 32, 57; Rymer, *Foedera* (Hague ed.), VI, iv, 185; *State Papers, Foreign, Holland*, xxvii, 114–117, 149; *Cal. State Papers, Dom., Addenda*, 1580–1625, 264, 293, 309.

of 1588 he succeeded in keeping his charge in such good order as to receive the special thanks and commendation of the queen and privy council.[1]

But the most important part of the English military establishment in the Netherlands was not that which was stationed with comparative permanence in the two cautionary towns, but the larger body of auxiliary troops which were in garrison, for the most part, in 1588, at the exposed points of Berghen-op-Zoom and Ostende. The first of these towns was on the mainland just opposite the islands of Zealand and protected the passage to them. It was one of the few towns possessed by the rebels in the province of North Brabant, an outpost in the midst of territory for the most part obedient to Spain and occupied by detachments of Parma's army. It lay almost on the direct line between the Spanish strongholds of Antwerp and Breda and was thus a constant object of threat from their forces. Although not a cautionary town it had been placed by the estates under an English commander, Sir Thomas Morgan, one of the early volunteers, and was occupied and defended by a mixed garrison of English and Netherlands troops. In 1588 there were nominally 1450 English foot and 300 horse under the command of Morgan at Berghen. The town had endured repeated attacks from the enemy and in 1588 was subjected to a long and severe siege by Parma in person, a siege which though unsuccessful strained the resources and powers of the garrison to the utmost limit. Twice later Parma made attacks upon it which in each case however proved to be merely a feint to cover other operations.[2]

Even more detached from the independent provinces was Ostende, the southernmost possession of the allies, at the extreme point of West Flanders, cut off from Zealand and Holland by hostile districts, and accessible to them and to England only by sea. Ostende was long under the governor-

[1] *Acts of the Privy Council*, xvi, 342, xvii, 421, xviii, 196, xxii, 456; *State Papers, Foreign, Holland*, iv, 34, xxvii, 114–117, 149; Meteren (ed. 1618), 312.

[2] Bor, *Nederlandsche Heerlegen*, iii, 516, 518.

ship of Sir John Conway, but soon after the return of the Portugal expedition the command of the English troops there was given to Sir Edward Norris, one of the three warlike brothers whose names appear so constantly in the military records of the period. The estates at the same time, at the request of the queen, appointed Norris governor of the town. At Ostende were now stationed eleven companies of foot which should have made up 1650 men. The garrison there, perhaps because of its detachment, was especially turbulent and inclined to mutiny. A special order from the privy council was requisite to secure the obedience of the Ostende captains to a new governor. Just on the eve of the Armada, the governor was warned to be watchful against treachery among his troops, and in September there was a serious mutiny there. It was however quelled and in October the expatriated and lonely soldiers sent a pathetic letter to the queen thanking her for their pardon, begging for their long overdue wages, complaining of the increasing cold which will soon "pinch men who have no money or clothes," and finally asking for transfer to some other place "where they can occasionally hear from friends." Nevertheless, a year later the governor reports that his captains absolutely refuse to allow their companies to be mustered according to the new rules laid down by the privy council, and is ordered by the privy council to obtain their obedience or send them home as prisoners, an order obviously impossible of execution.[1]

Ostende was, like Berghen, frequently threatened with attack. While the Armada was on the sea, a movement against it was daily expected. A year later, letters received in London both from the governor and the burgomaster of Ostende reported news of a threatened siege or surprise by the enemy and appealed for reinforcements for the garrison, depleted by the withdrawal of troops for the recent siege of Berghen. Five hundred men were immediately levied in London, mustered in Leadenhall and sent across; two companies were ordered to be sent from Flushing, although

[1] *State Papers, Foreign, Holland*, xxvii, 15.

against the protest of the governor of that town, and three of the companies on their way back from Portugal to the Netherlands were diverted directly to Ostende. But then as so often before and afterward the report proved to be a mistake and, although there was constant danger and apprehension, no serious attack from the Spaniards occurred until the long, bitter and ultimately successful siege of 1601–4.[1]

But Ostende was threatened with still other dangers than mutiny and attack from the enemy; these were the constant risks of the washing away of its defences, or even of the foundations of the town itself by the waters of the sea. The town was built on what amounted to little more than a sand bar protected by some low dunes. In January, 1589, attention was called to the weakening of the defences and the English governor asked the estates to provide for their repair, under threat of withdrawing the English troops if this were not done. But the estates, as usual, counted on English interest in the control of seaport towns so closely opposite to their own shores and did nothing. In June, 1589, just as one of the periodical threats of attack was made, the engineer in charge of the fortifications deserted to the Spaniards. The governor was ordered by the privy council to put the burghers and soldiers at work on temporary defences and to send an estimate of the cost of rebuilding those that had been washed away. In the fall of the same year, Robert Adams, an expert engineer, was sent over with secret instructions to examine into the condition of the defences against the sea, and if their renewal should seem to be difficult, expensive or transitory, to make secret arrangements for its abandonment by garrison and burghers, and then for the destruction of town and harbor, so that they should not become serviceable to the enemy. But such drastic action did not prove to be necessary, and it was put again into a condition of tolerable safety from the sea and defence from the enemy. Ostende, however, always remained subject to the

[1] *Acts of the Privy Council*, xvi, 97, 107, 114, 188, xvii, 110, 231, 237, 239–59.

same dangers, to panic and to sudden demands from its garrison for help.[1]

Two English companies of foot were now in garrison in Utrecht but they were under a Dutch not an English commander, and there were three or four small companies of horse scattered in the field. The numbers here given, it should be said, are those reported by the English officers of musters. But many proofs will appear in the course of the narrative that all such reports were exaggerated. A regular allowance of ten per cent was allowed for "dead pays," men who were counted and paid for, but who were never levied; others who were not actually present at muster were excused on various pretexts, and there was much corrupt collusion between regular and muster officers. Seven hundred musketeers from Berghen and Utrecht under Colonel Morgan were also summoned home in July to join the army gathered at Tilbury to resist the anticipated invasion of the Armada, and were still at Margate in August. In fact it was reported in London, probably correctly, that these 700 men, dissatisfied with the long delay in receiving their pay, had mutinied and fortified themselves near Sandwich. It was not until September that they were pacified and embarked for the Netherlands. The total English garrison in the Netherlands, cautionary and auxiliary, horse and foot, was therefore scarcely above 4000 men.[2]

This comparatively small body of men, however, strongly established in their four principal posts, frequently renewed by recruits from England, commanded by officers of much vigor and supported by volunteers who served either with them or in direct employment under the estates gave the English a military importance in the revolt of the Netherlands which was at the date of the opening of this narrative of great significance.

The first event in the intercourse between England and the

[1] *Ibid.*, xvii, 231, xviii, 150–213, xix, 193, 236.

[2] *Cal. State Papers, Dom.*, 1581–90, 526–8, 538; *Cal. State Papers, Spanish*, 1587–1603, 421.

Netherlands after the Armada was the appearance of Sir John Norris at the Hague in November, 1588, seeking the temporary use of some of the English veteran troops for the Portugal campaign, as already described. He had instructions from the queen to thank the estates for the help they had given the English fleet in its task of keeping Parma in port while the Armada was approaching, to explain certain misunderstandings which had arisen between the allies, and above all to obtain the agreement of the estates to the withdrawal of English soldiers and the purchase of supplies. He brought with him some 1500 new troops as a partial equivalent for those to be taken away.

His message and propositions were submitted to the meetings of the council of state at the Hague, November 26th, and of the estates, November 29th and December 12th. The conciliatory expressions of the queen were met halfway, but to a number of her other claims, explanations and requests but a brusque answer was returned. Especially to the plan of denuding the land of its English defenders the estates made many objections, even though Norris described the Portugal campaign as part of the conflict with the common enemy, pointed out its desirability, with classical precedents for carrying the war into the enemy's country, and dilated on the fact that the restoration of Don Antonio would "give the king of Spain work to do in his own land and kindle a fire in his own house."[1]

The estates on the other hand claimed that the English contingent had never been properly filled, that the people who were left unprotected would murmur, and the English officers themselves be dissatisfied if the numbers were still further depleted. As to the new troops, the estates might fairly enough place but a low valuation upon them as compared with the trained soldiers whom it was proposed to take away, for they had been hastily gathered up by Norris just before his departure from England from the slums of London and the south-eastern towns. After much discussion however

[1] Bor, *Nederlandsche Hoorlogen*, iii, 360–2, 430–2.

the objections to the proposed plan were partially withdrawn and the astute Dutch statesmen agreed that if full 2000 English foot soldiers and 200 horse were left at Berghen-op-Zoom, 1000 foot at Ostende and 200 horse on the frontier, including the recruits which had just been brought over, they would not object to the withdrawal for five months of the other 2000 foot and 600 horse, or of as many of them as could be found. They also agreed that the garrison of Gertruydenberg, just then hesitating in its loyalty, eight other companies of Netherlanders, and certain half disaffected Dutch officers should be allowed to go temporarily into her majesty's service.[1]

The English governor in the Netherlands was not consulted about these arrangements until they had been completed. Letters from the queen addressed to him authorizing Norris to withdraw thirteen companies of foot and six of horse were then presented to him. He felt bitterly the disregard of the proper claims of his position, as well as the reduction of the force of which he was in command. Norris nevertheless overrode all opposition, placed the completion of the transfer of the troops and the purchase of supplies in the hands of his brother, Sir Edward Norris, and returned to England at the close of December. The English troops and the Dutch volunteers were shipped for Portugal with the companies sent directly from England in March. Five of the cavalry companies proved to be so defective in number that they were dissolved, and there was much combination and reorganization of companies for the purpose of this more highly organized expedition. Altogether, as has been previously stated, something like 1600 men were taken from the Netherlands to Portugal at this time, the greater part of them being Englishmen.[2] This was the first of a series of such withdrawals. With the widening of the area of the war, the

[1] *Grimsthorpe MSS., Hist. MSS., Comm. Rep'ts.*, 1907, 197–8, 221–3; *Acts of the Privy Council*, xvi, 291, 297, 309, xviii, 16; Bor, iii, 363–5, 432.

[2] *Acts of the Privy Council*, xvi, 409, xvii, 161, xviii, 103–4, 115; *Grimsthorpe MSS.*, 231, 234, 244; Bor iii, 430–432.

trained troops in the Netherlands became an object of covetous interest to the home government, to military leaders engaged in the equipment of new expeditions, and to foreign allies seeking effective help from England. Their transfer to other parts of the field of war was a cause of frequent heartburnings through the next few years.

As a matter of fact, there was but little in the condition of the Netherlands at the close of the year 1588 that would seem to justify the withdrawal of any part of the English troops. The fortunes of the new republic were at their lowest ebb. The English connection had so far not produced the favorable results that had been hoped for. The administration of Leicester had passed away and left but little permanent effect on either the military or civil establishment of the United Provinces. Lord Willoughby, who succeeded him as governor in November, 1587, although more successful in conciliating disputes than Leicester, had not been able to give more effective military assistance or to change materially the conditions of the struggle. The Dutch and such other allied troops as they possessed were widely scattered, depressed by recent failures and threatened with a new advance of the Spaniards from the south.

Nor did the five months during which the English troops were absent in Portugal see any improvement in affairs. They, or the survivors of them, arrived in England with the rest of the expedition in July, 1589, and were transported to Flushing, Berghen and Ostende during the latter part of that month and the early part of August. They returned to find that early in the period of their absence, in March, 1589, an overwhelming loss had taken place. This was the betrayal to the Spaniards of Gertruydenberg, the strongly defended outpost of the estates on the frontier, to the south of the Meuse, a loss which laid open to their enemies a number of smaller towns and fortified places, and established a hostile land barrier between Zealand and Holland. Worse still, Wingfield, the officer in charge of the town, was an Englishman and brother-in-law of Lord Wil-

loughby, and several of the traitorous garrison were English. The soldiers had been long unpaid and were driven to desperation by the neglect of the estates, and the English among them may well have been quite free from special responsibility for the occurrence. Nevertheless the recrimination that followed embittered still further the strained relations between the two countries. It was altogether a bad summer. Several petty defeats were suffered in the open field. Varrabon, the Spanish commander in the north, captured Blyenberg and only an opportune mutiny of the Spanish troops prevented a threatening movement by Mansfeld across the Meuse toward Utrecht.[1]

Disunion, lethargy and parsimony on the part of the Hollanders and Zealanders, reluctance to enter heartily into the struggle on the part of Elizabeth, and the difficulties of their other royal ally in France seemed to doom the Netherlanders to eventual failure. Willoughby became discouraged by the difficulties of his position, sought leave of absence and returned to England in March. His last letters as governor were full of complaints, not only of the "manifest ingratitude" and "feebleness of help" of the estates, but of the inability of the English troops under the conditions in which they were placed in the Netherlands, "either to observe the contract with the estates, to keep the field, or to save any town." Through the early summer he asked repeatedly not to be sent back to his thankless and ineffective labors, and early in September he was appointed by the queen to new service in another field.[2]

At nearly the same time the duke of Parma wrote to Philip prophesying the early close of the war of the Netherland rebellion. He pointed out that all important towns along both the Rhine and the Meuse were now in the hands of the Spanish king or his allies, that his troops could march securely all the way from Flanders to Friesland, that only Holland

[1] *Acts of the Privy Council*, xvii, 116, 362, 369, 376, 413, xviii, 16, 22, 34, 52, 58; Meteren (ed. 1618), 316–17.

[2] *Grimsthorpe MSS.*, 157–238, 281–8; *Acts of the Privy Council*, xviii, 86.

and Zealand were keeping up the obstinate struggle, and that Sluys served as a bridle on the one, Gertruydenberg on the other. Entrance to the two provinces would not now be difficult and Parma hoped soon to reduce them to obedience and to turn over all the Low Countries "to God and the king." [1]

Yet the despondency of Willoughby and the exultation of Parma were alike unwarranted by real conditions. As a matter of fact the summer of 1589 was the darkest hour just before the dawn of the success in the Netherlands that was to be won by the joint efforts of Netherlanders and Englishmen. Spain on the one hand and her rebellious provinces supported by their English allies on the other were much more evenly matched than the leaders on either side could then see. Unsatisfactory and inadequate as was English military assistance, the control of the little line of seaport towns clinging to the outermost edge of the Netherlands, and the continual presence of the few companies of veteran troops were of the utmost value. They had England close behind them as a base for supplies and reinforcements, and there was always the possibility of a forward policy. The Netherlanders and the English together had the command of the sea in their own vicinity, and the rebellious provinces were drawing supplies of money in the form of taxes from trade extending far beyond these limits and in the form of profits from trade carried on at a still greater distance. The population as well as the wealth of Holland and Zealand and their nearest neighbors was growing, and their determination to control their own destinies was increasing with the passage of time and the increase of numbers and wealth. England was protecting herself when she was protecting the Netherlands' coast. An observer with especially close connections with Spain remarked at the time that it was only the possession by England of the Low Country seaports that saved her from another Spanish invasion. She could not withdraw from the struggle and allow the Spaniards to recon-

[1] Strada, *Guerre de Flandres, Trans. by P. Du Ryer*, 1665, 2 Decade, 831–2.

quer the Low Countries, and her resources were far greater than had yet been drawn upon.[1]

Just as there were elements of strength in the position of the rebellious provinces and their allies that were as yet scarcely recognized, so there were points of weakness in the seemingly overwhelming power of Spain. Parma, who had been governor of the Spanish Netherlands for ten years, was now, for all his abilities, energy and good fortune, suffering from some of the most disabling of human influences; ill-health, insolvency, the suspicion of his superiors, and the necessity of following a policy of which he disapproved. He had been troubled by a series of minor accidents in 1588 and was so unwell in the summer of 1589 that he was forced to go to Spa to recuperate, and in September of that year visited all the shrines in Aix-la-Chappelle in search of health. Although but forty-three he was already feeling the burdens of age and anticipating the early death which came three years later. Other reasons for his relative incapacity at this time followed one another in an inevitable circle. His depression resulted partly at least from some recent small failures, the necessity for withdrawal from the siege of Berghen-op-Zoom and the results of the Armada, for which he felt partly responsible. These failures were largely due to his almost entire lack of funds to pay and handle his troops. The lack of money was the result of Philip's refusal to send the usual remittances from Spain, and this refusal or neglect was in turn, at least in part, caused by the suspicions of Parma's loyalty, carefully fomented in the king's mind by some of the duke's enemies. Rumors of his recall and even of his arrest were widespread and he was forced to write to Philip protesting his loyalty.

The troops of Spain could no longer be supported from the resources of the obedient provinces. The burdens of war and ill-government had reduced the southern Netherlands to almost universal poverty and desolation. The wealthiest and most enterprising of their population had emigrated to

[1] Sterrell to ——, Aug. 2, 1591, *State Papers, Dom., Elizabeth*, ccxxxix, 120.

the northern provinces or to other countries. The Spanish, Italian and Walloon troops of Parma, ill-paid, denationalized, and brutalized by long war were becoming more and more disorganized and mutinous, and mutiny had only too often to be condoned. The great weapon which successive governors had used in their long effort to bring the Netherlands to submission was now becoming blunted. Lastly, Philip had set his heart on a project of which Parma disapproved and which must necessarily weaken Spanish power in the Netherlands. This was the invasion of France from the side of Flanders.

The course of events had long been drawing both England and Spain gradually nearer and nearer to intervention in France. But it was a sudden occurrence that now brought this tendency to a culmination and pitted the two contestants against one another in that country as they were already the Netherlands. This occurrence was the assassination of Henry III, August 12th, 1589, an event which made Henry of Navarre no longer merely a Huguenot leader but the legitimate king of France. In the earlier civil wars, Elizabeth had more than once given aid to the Huguenot party, and for a while in 1562 held Havre as a cautionary town. Occasionally English volunteers went to serve in France as they did in in the Netherlands. Ralegh spent part of his restless life in the French service and there were many more like him. The French king's ambassadors had quietly recruited men in England. In May, 1589, a band of 150 men, 12 officers and 6 gentlemen volunteers, all Englishmen, though under a Dutch captain, slipped down the Thames from Ratcliffe, provided with a permit from the lord treasurer and the lord admiral, on their way to France. The fragments of the cavalry companies from Holland dissolved at the time of the Portugal expedition were gathered up by a Captain Copton for service in France. Another company was recruited in England and taken by Captain Sherley to join the Huguenot army, early in 1589. When these were dissipated Sherley himself joined La Noue in the French king's service. In

1588 there had been plans for a closer alliance and the sending of an English contingent of troops or the loan of money to France; and at the very time of the assassination of the last Valois king a negotiation was in progress by which the queen was to loan the French king £20,000, with which to secure troops in Germany to fight against those in rebellion against him. Burghley, like other English statesmen, felt the strangeness of this alteration of the traditional hostility of the English to the French. He writes early in 1589: "The state of the world is marvelously changed when we true Englishmen have cause for our own quietness to wish good success to a French king and a king of Scots; but seeing both are enemies to our enemies we have cause to join with them in their actions against our enemies." [1]

But the relations between the two countries based on the personality and religion of the prince who had now become king, were still closer. Henry had long been on terms of friendly correspondence with Queen Elizabeth, the principal councillors in England and the English ambassadors in France. While still only duke of Bourbon and king of Navarre, he had neglected few opportunities of exchanging letters or messages with the Protestant queen. Now that he was king of France his need of her friendship was vastly greater, and England's self-interest lay in the same direction, as will more clearly appear later. Henry had his kingdom still to gain. The League had already declared its determination not to allow his accession to the throne. This great confederation of nobles, provinces, cities, corporations and individuals, based on Catholic orthodoxy but drawing its strength largely from the political ambitions of its leaders, was in its early days a purely national organization. In 1584, however, it had begun a more active propaganda and acquired new strength by entering into an offensive and defensive alliance with the king of Spain, who agreed to

[1] *State Papers, Foreign, France*, xix, 125–8, 243, 259–60; *Harleian MSS.*, ccxxviii, 242–46; *Lansdowne MSS.*, civ, 57–63; Burghley to Shrewsbury, May 27, 1589, Lodge, *Illustrations of English History*, ii, 373.

furnish abundant subsidies to its leaders. During the years immediately following, the power of the League was almost overwhelming. The king of France, who favored the Huguenots, was shut out from his own capital, as well as from many other cities and from whole sections of the country. Most of the officials of the law courts were adherents of the League, strong native and mercenary armies were in the field in opposition to the government. Money for their support was furnished regularly by the Spanish crown and there was always the possibility of invasion by the Spanish troops which lay so close to the borders.[1]

Henry IV had now to meet this resistance under the disadvantages of being the representative of a new and distant branch of the royal family and a Huguenot. He was but poorly provided with men and money and a rival candidate for the throne, the cardinal Charles of Bourbon, his uncle, was supported by the League and the king of Spain. On the other hand, his position was far from hopeless. He represented national independence; he had long been recognized by one party as the future king of France; his rival was in the hands of jealous adherents and not destined to live through more than a few years of the struggle. Henry's position as a Huguenot had its elements of strength as well as of weakness, since it gave him the support of those cities and provinces and individuals which were devoted to the Protestant cause. His personal characteristics were fortunate. He had been trained in civil war, was endowed with great military gifts, and moreover possessed a hopeful, sunny, light-hearted nature which under the circumstances of the time was in itself worth as much as an army. He was at court at St. Cloud when the king was murdered and received the immediate fealty of a considerable number of influential French nobles. He succeeded also in retaining the services of the Swiss mercenaries who were then with the king, and thus

[1] *Lettres Missives d'Henri IV*, i, 31, ii, 15, 17, 31, 51, 55, 190, 228, 301, 305, 320, 383, 390, etc.; *Memoires et Correspondance de Duplessis-Mornay*, iv, 126, 167, 181, 205, etc.

possessed himself of what was at least the nucleus of a royal army. Above all he had the personal and political claims upon English interest which have been already referred to.

Immediately therefore after proclaiming himself king, and sending the announcement of his accession to the principal cities, officials and nobles of France, he despatched, on the 19th of August, a special ambassador, Jean de la Fin, seigneur de Beauvoir la Nocle, to Elizabeth with an appeal for help. He asked immediate assistance in men, ammunition and money, and urged that ships be sent from England to cut off supplies by sea from the League cities of Paris, Rouen and Havre. He sent letters also to Burghley and Walsingham, wrote describing his immediate prospects and plans of action to Paul de Chouart, seigneur de Buzenval, who had long been resident French ambassador in England, and sent back to England to aid his cause Pierre de Mornay, seigneur de Buhy, who had just returned from there. Henry based his hopes of effective assistance on the common interest of Elizabeth and himself in opposing Spain at every point. If he should with English help make good his claim to the French throne Spanish influence would be excluded from France and England would possess in him a firm and permanent ally against Spanish power; if he should fail, the influence of Spain over the League, her practical control over the southern shores of the Channel and her overwhelming weight in European affairs would place England in the greatest danger. These advantages of an alliance were evident and Henry might well count on Elizabeth's self-interest to secure a favorable reply. While awaiting the results of his appeal therefore he sent detachments of his little army into Picardy and Champagne, and himself with the remainder withdrew from the vicinity of Paris into Normandy, where he might have easy communication with England. La Chatte, the governor of Dieppe, received him loyally. He was already a correspondent of Walsingham, and had, like the governors of Boulogne and Calais, received letters from Elizabeth urging faithfulness to the new king. This valuable port remained for the next

twenty years a channel by which supplies reached Henry from England, and an open door by which the English could enter Normandy, much as Flushing gave them entrance into the Netherlands. Here and in the vicinity of the neighboring castle and village of Arques, Henry defended himself during the next month against a series of attacks from the forces of the League, and from time to time secured the adhesion of a few more of the French nobles. When he first arrived at Dieppe he had a plan for crossing the channel to confer with the queen, and Elizabeth came down to the coast at Rye apparently to facilitate the visit. But the League troops were pressing hard upon him, he found no leisure for visiting, and neither then nor afterwards did the two sovereigns ever meet.[1]

In the meantime Henry's ambassadors had laid his propositions before the queen. They had written authority from the king to bind him "on the word of a king" to the repayment of any sums of money she might loan to him, and to the return of any equipment she might furnish; and they boldly pledged all the king's personal possessions and those of the crown. Perhaps Henry's risk of loss was not very great, since his official equipment was as yet so exiguous that he had no great seal and was obliged to sign his ambassadors' credentials with his own little cachette bearing his personal coat of arms. The ambassadors at the same time laid before the privy council a suggestion from Henry that a formal offensive and defensive treaty should be entered into, and that other Protestant sovereigns should be asked to join it. But this project was not urged or seriously considered, and the immediate result of the negotiations was simply the agreement to loan Henry £20,000 in money and a quantity of powder and other ammunition. This substantial subsidy was handed over to the ambassadors and receipted for by them at the lord treasurer's house in the Strand on the 7th of September, was shipped to Dieppe in two vessels, arrived safely on

[1] *State Papers, Foreign, France*, xix, 203, 243, 250, 257; Henry to Buzenval, Aug. 27, 1589, *Cotton MSS., Galba*, E. vi, 423, 461.

the 17th of September and was gratefully received and duly acknowledged by Henry. A familiar story attributes to him the remark, made on this occasion, as he could doubtless have made it with perfect truth, that he had never before seen so much money at one time.

On the 30th of October the queen, in response to further urgency from the ambassadors, made a further loan of £15,000, and in the succeeding September £10,000 more. She also used her authority and influence with the mayor and merchants of London in October to induce them to lend the ambassadors £15,000 for the king's use. Thus within a year Elizabeth provided Henry with something more than £60,000, having, as she claimed, "yielded him such aides as never any king hath done the like to any other." Permission was also given to English traders to go over to Dieppe with food for men and horses to be sold to Henry's troops, and from time to time special licenses were given to French merchants or representatives of the king to buy in England ordnance, ammunition and supplies of various kinds and to levy volunteers.[1]

Troops were scarcely less indispensable to Henry than money, and the queen agreed to send to him at once 4000 foot under a competent commander of her own, and ordered to be turned over from the treasury £6000 for their equipment and pay. It is true that Elizabeth drove a hard bargain in these negotiations. The money loaned was to be repaid in six, or at most nine months. The troops were only provisioned and paid for a month and indeed were to be withheld before starting if the need of them should prove not to be actually pressing. If sent and kept in service for a longer time than one month, they must be paid directly by the French king. The queen, on occasion of the second loan, forced the ambassadors to promise in writing to urge the

[1] *State Papers, Foreign, France*, xix, 238, 242, xx, 5, 19–27, 29–30, 126, 128–139, 156, 222–7; *Cotton MSS., Galba*, E. vi, 435; *Lansdowne MSS.*, ciii, 187, civ, 126–7; Rymer, *Foedera*, VII, i, 10, 47; *Lettres Missives*, iii, 54; *Cal. Hatfield House MSS.*, iv, 47; *Grimsthorpe MSS.*, 293; *Correspondence of Sir Henry Unton*, 3.

king to turn his first efforts to securing the coasts and maritime towns of Picardy, Normandy and Brittany, those which could best defend England against Spain. But no narrowness of conditions could destroy the moral and material value of help in money and men to the French king at such a critical time, and he found it easy to write grateful letters to Elizabeth, and well worth his while, even after the withdrawal of the attacking force from Arques, to wait for some weeks at Dieppe until money and supplies should arrive.

CHAPTER XI

THE EXPEDITION TO FRANCE UNDER WILLOUGHBY, 1589

ON the ninth of October, Peregrine Bertie, Lord Willoughby, was summoned to court at Oatlands to receive the queen's commands for the direction of the expedition she was about to send into France. He was an amiable man and an energetic and able soldier. His actions as governor in the Netherlands from the retirement of Leicester until a few months before this time had gained him the confidence of the queen and of the leading English ministers. He had learned his military science in that general school of soldiery of the age, and had obtained a reputation for diplomatic conciliation as well as vigorous action. It might therefore be hoped that he if anybody would succeed in the difficult task of leading a half-independent body of allied troops reluctantly sent to a foreign country under dubious conditions of service and payment. His commission and instructions, signed at Oatlands, September 20, 1589, were concerned more with personal and financial relations with Henry than with military matters, which were left, within certain broad limits, to his own judgment and that of the king.[1]

The troops were levied in Kent, Sussex, Hampshire and London, one thousand from each; Rye was appointed as the rendezvous, and the little army was organized according to the most elaborate system of the day. Lord Willoughby in addition to his position as general had command of a regi-

[1] *State Papers, Foreign, France*, xx, 45, 48, 52–62, 67, 70–74, 154; Rymer, VII, i, 10–13; *Acts of the Privy Council*, xviii, 86, 120, 121, 133, 248, etc.; *Instructions for Lord Willoughby*, Sept. 20, 1589, in Lady Georgiana Bertie, *Five Generations of a Loyal House*, 261–4; *Cotton MSS., Galba*, E. vi, 426–433.

ance. By means of the money that had come from England, Henry was able to retain in his service for a longer period the Swiss troops that had been in the employ of the late king, and soon afterward he added to them a body of mercenary German *reiters*, or cavalry, for whose services he had long been negotiating. On the day before the arrival of Willoughby some 1500 Scots also joined the king's forces, and soon afterward he received the adherence of several more French nobles with their followers.

From the very beginning of the war Henry's boldness verged so close on rashness as to drive his followers almost to despair. Willoughby records, soon after his arrival, the departure of the king by night with 1200 horse on some enterprise unknown, and that "everybody heere is madd at ytt, and above others, the Marshall Biron, to see him take those nyghte enterprises in hand himself." [1]

With this somewhat heterogeneous force, Henry began in October a three months' campaign which, although made up of small successes, did much to put his fortunes in the ascendant and to build a solid foundation for his ultimate although long delayed victory. A beautifully written journal, drawn up by Willoughby's orders, still preserves a continuous narrative of the events with which the English were especially connected.[2] The first movement was directly on Paris. Marshal Biron asked especially to lead the English regiments, and with them and some French and Swiss occupied the faubourgs of Vichy and St. Marçeau. Paris was soon closely invested and a number of the surrounding towns captured. But it was probably no part of Henry's policy to subject his capital either to a long siege or a sack. Moreover the duke of Mayenne succeeded in introducing reinforcements. So two weeks after the landing of Willoughby and his men,

[1] *Willoughby's Journal, Cotton MSS., Galba, E.* vi, 414; *State Papers, Foreign, France*, xx, 109.

[2] *A briefe discourse or Journal of the Service, March and Travel of the Ryghte Honorable Peregrine, Lord Willoughby, general of her Majestie's forces in France in ayde of the Kinge theire, Anno 1589, Anno 31 Reginae Elizabethae, Cotton MSS., Galba*, E. vi, 413–19; *State Papers, Foreign, France*, xx, 174.

the League, which had been threatening Henry, had withdrawn and that it might not be necessary after all for the English troops to be taken across the channel. Stafford had secured from Henry himself a reluctant assent to the sending of this message. Willoughby, however, who had almost his whole body of troops on their transports, rejected the advice of the ambassador, went aboard ship the same day, and with such troops as were ready reached Dieppe on the morning of the 28th of September, much to Henry's delight. The general was promptly rebuked by the queen and privy council for his precipitancy, such troops as were not yet embarked were held back, and instructions given to keep those already sent over ready to be brought back on immediate notice. Nevertheless when Willoughby wrote offering to return, he was ordered to await further instructions where he was. Finally the remaining troops were released, all reached Normandy by October 1st and matters were allowed to take their course.[1]

The English general had small reason to be proud of his troops. Those from Hampshire and Sussex were particularly "ill-furnished, ill-chosen and badly armed," as he reported, and he advised that the local authorities who had levied and equipped them be called before the council, "least ye consequences be perillous." Those from Kent and London were better, and with the latter came a liberal provision of artillery and ammunition that was most welcome. As usual, a group of gentlemen, amounting in this case to about fifty, came along with the regular force as volunteers, serving at their own expense and largely at their own will. The condition of the troops improved under daily drill, and by the ninth of October when the English troops were all brought out on a Sunday afternoon on a hill near Dieppe to be viewed by the king he professed himself greatly delighted by their appear-

[1] Mendoza to Philip II, Paris, Sept. 28, 1589; Roncière, *Discours de la prise et route des navires . . . par d'Aumale, etc.*, Paris, 1589; *State Papers, Foreign, France*, xx, 75, 98; *Acts of the Privy Council*, xviii, 120, 144, 166, etc.; *Lettres Missives*, iii, 53; *Cal. Grimsthorpe MSS.*, 288; Bertie, 264–6, 267.

gentlemen have "borne themselves with honor," and that Sherley is a "gentil cavallero." [1]

But there is another side to the story that becomes more and more insistent as time goes on. This is the increasing suffering from hunger, disease and exposure of the little English army. Notwithstanding its effective service its condition became more and more deplorable through the whole campaign. After its departure from Dieppe, for more than two months it was entirely unrelieved from home, except by a partial payment to the soldiers of their first month's wages. The soldiers' clothes and shoes soon wore out, their weapons were injured or lost in battle or by carelessness, they had no money by which food might be purchased, and they were reduced to the necessity, as was the rest of the army, of pillaging for their daily needs. The old national hatred of French for English was re-awakened among the peasantry, making their foraging all the more difficult, and many stragglers from the main body had their throats cut. Willoughby writes home that "to fill their hungry belly they are faine, after the licentious fashion of warres, to spoyle; which the frenche indure worst of all of our nation, because we are English. . . . Our misery through the contagion is worse than ever." John Stubbs, whose right hand had been sacrificed to his Puritan outspokenness, but whose left hand had still swung his hat while he shouted "God save the queen," ten years before, was among the volunteers on this expedition, and gives a vivid account of its sufferings and irregularities. But he testifies that "our nation is not infamed of murder or ravishment," "our chief gentlemen do carry away an honorable name of courtesie," and closes his account by saying, "I still think it an honor to have been on this jornie." [2]

The marches were often long for foot troops, and they suffered from exhaustion as well as hunger and exposure.

[1] *Willoughby's Journal*, 414; *Lettres Missives*, iii, 43, 53; *D'Aubigné Mémoires* (ed. de Ruble), viii, 171–4; *State Papers, Foreign, France*, xx, 162, 228–30; Bertie, *Five Generations, etc.*, 282, 285, 296.

[2] Willoughby to Burleigh, 14 Nov. and 23 Dec. 1589, *State Papers, Foreign, France*, xx, 174, 279; *Lansdowne MSS.*, xliii, 51.

The English with their habits of heavier feeding suffered worse than the more frugal French and Swiss. Meat they must have, if in any way possible, even if there was no salt for it and but little opportunity for cooking it. Henry wrote to his ambassador in England that he often saw the English soldiers eating half-raw the pork and goat's flesh they had secured. Lord Willoughby and the other officers did their best to relieve the distress. The general's private wagon and the officers' horses were regularly utilized to carry sick and wounded soldiers. Henry would gladly have paid, fed and reclothed the troops, but he and they were all penniless together. Good humor and good fellowship he did provide. Once when the English footmen had to cross a stream, the French horsemen, including the king himself, took them up behind on their horses and carried them over. He knew all the English officers personally and gave hearty recognition to whatever they did. He was present in every mêlée, in the midst of the soldiery and often indistinguishable from them.[1]

Word from home was seldom a source of encouragement to the English army, although once or twice the queen sent congratulations and messages of acknowledgment of something accomplished. But usually the letters were devoted to warning the troops to be careful of their accoutrements so that they might be returned uninjured to the county storehouses, to complaints of Henry's failure to fulfil his engagements, and to somewhat conflicting instructions as to the ultimate return of the expedition. The early return of the troops to England had never ceased to be a matter of almost daily anticipation, though as a matter of fact it was postponed week after week and month after month. Willoughby himself, when the French army marched southward from Paris beyond the boundaries of Normandy, fearing that his troops would be carried to the distant interior of France, asked the king for leave to return to Dieppe and to send to

[1] Willoughby to Walsingham, Nov. 14, 1589, to Burghley, Nov. 29, Fludd to Burghley, Dec. 14 and 23, Lilly to Walsingham, Dec. 25, Bertie, 279, 286, 291, 295, 303, 305.

England for shipping to carry his men home. Henry, on the other hand, had his political objects in going at least as far as Tours, quite apart from the military exigencies of his position. There was established all that existed of his civil government, including the loyal members of the *parlement* of Paris and of the council of state. He therefore urged Willoughby to go thither with him, promising then to turn northward toward Caen. On the twelfth of November, 1589, Henry met his council at Tours and at the same time held a royal sitting of the *parlement* and gave public audience to foreign ambassadors, thus asserting a kingship in form as well as fact for which the military struggle ordinarily gave but scant opportunity. A welcome recognition of his royal claims was given by Mocenigo, the ambassador of Venice, who appeared at Tours with a message of congratulation from the seignory.

These ceremonies over Henry resumed his military activity and in accordance with his promise to the English directed his march again toward Normandy. Willoughby now repeatedly brought up the question of the departure of the troops. As the weather became more rigorous and the shoes and clothing of the English soldiers wore out still more completely their sufferings increased. Many of the best men in the English forces begged that they should either be sent home at once or put into garrison by the king to recuperate. As Willoughby said, they could now fight only against the weather and their necessities. They had already been reduced to one half their original numbers and as they marched northward there were numerous desertions. The month for which the queen had agreed to pay the troops had long since expired, they had no regular payments from the king, and were now not only without support, but had only the most vague general promises of the king on which to base any prospect of ultimate payment. They became continually more restive.[1]

[1] Walsingham to Willoughby, Oct. 18, *Cal. Grimsthorpe MSS.*, 291–5; Willoughby to Walsingham and Burghley, Nov. 14, Bertie, 277–286; *Willoughby's Journal*, 418; *Lettres Missives*, iii, 96; *Acts of the Privy Council*, xviii, 254.

In November a new special ambassador, Philippe de Fresne, was sent to England, and on the fourth of December he with Beauvoir, who had now become permanent ambassador in place of Buzenval, laid before the queen an offer of the king to pay the English troops for the second month of their service, already expired, out of the new loan, recently obtained from England, and then either to take them directly into his pay or dismiss them, according to their own request. To this Elizabeth agreed. Willoughby was ordered to explain the circumstances to the dissatisfied officers and soldiers and to persuade them to continue in their duty and service to the queen and the common cause. Some clothing was also sent over by the government to be sold to the soldiers at a set price, and arrangements entered into by which private merchants could take over as much more to be sold at such profit as they could make. But the supply of clothes was too late to be of use to the English troops, and the troops were no longer necessary to the king. The campaign was practically over. Henry's victorious journey through Normandy, Maine and Touraine had been completed and he was already contemplating the temporary dissolution of such troops as he had in the field. While agreeing therefore to pay the troops for their second month of service, he announced his willingness to dispense with the main part of the English force. He asked at first that he be allowed to retain with him eight hundred or one thousand picked troops under Sir John Borough as colonel. Willoughby warned the home government that apart from the sick and wounded there were now probably not more than this number in his whole force. Finally, the day after Christmas, Henry withdrew his request for the retention of even this portion of the troops and licensed all to depart.[1]

On the 28th of December, 1589, exactly three months from the day of their departure from Dieppe to Paris, the troops arrived again at the coast at Dives, not far from the old

[1] Bertie, 287, 288–90; *Acts of the Privy Council*, xviii, 254–7; *Cal. Grimsthorpe MSS.*, 296–301.

Norman city of Caen. The condition of the soldiery was such that Willoughby did not await regular transports from England. He wrote to Burghley, "I am afeared if the shipping come not the sooner I shall leave few behind and bring home fewer. In my life nothing ever grieved me more, but I must endure God's will." Beginning with the last day of the year he sent the sick and wounded and many others home in such vessels as could be engaged for the purpose at Dives. The privy council expressed their disapproval of this irregularity, and made all requirements still possible for giving the soldiers passports, for ascertaining the time for which they had been already paid and arranging for the return of their weapons. Within the early part of January the few survivors were brought back into England. Lord Willoughby himself lingered in France a little longer and was with the king at the capture of Honfleur on January 15, 1590. On his departure, Henry, who seems to have gained a sincere regard for him, gave him a diamond ring which became an heirloom in his family. Henry had already written to the queen acknowledging the help the English troops had been to him, praising the courage and good judgment of Willoughby and complimenting her on her choice of officers for her troops.[1]

On the 21st of January, 1590, Willoughby made his personal report to the queen at Lambeth. On the 4th of February, £4630, the wages of the troops for their second month, which had been paid over by the French ambassador, was placed in his hands to be paid to the troops. The arrangement made by the privy council was that the captains should be paid as if their companies were complete. The captains in turn should pay to the survivors of their companies the wages due them; out of the remainder they should pay the costs of transportation of the troops from France to England, and

[1] Willoughby to Burghley, Dec. 25, *State Papers, Foreign*, xx, 279; Willoughby to the Privy Council, Dec. 20, 23, 28, Fludd to Burghley, Dec. 31, Bertie, 299, 305, 306, 309; *Lettres Missives*, iii, 66; *Acts of the Privy Council*, xviii, 302, 307; *Cal. Grimsthorpe MSS.*, 302–3.

keep what there was left. This double position of the captains as military and financial officials, as contractors for their companies as well as their leaders, was demoralizing in many ways. In this case it was particularly hard on the common soldiers. No provision was made for the payment to the families of those who had died of wages due, and no payment was made beyond the two months provided for, although the period of service had extended over more than three months.

Thus ended the first expedition sent by Elizabeth to the aid of Henry. It was in many ways typical of those which were to follow. Of the four thousand men who had been sent, it is hardly probable that a thousand returned. Two years afterward the council in referring to this expedition declared that "Her Majesty is informed, and we do feare the same to be true, that few of the men returned againe."[1] They had taken part in no pitched battles, but were worn away by casual losses in a long series of sieges and attacks upon fortified towns, by hunger, disease, exposure and other privations. The most valuable aid they gave to Henry was the moral effect of the English alliance in this early and critical period of his fortunes. The power and prestige of the League supported by its great Spanish patron was so overwhelming that it is difficult to see how Henry could have gained any foothold or built up any party in his kingdom had his cause not been upheld and opportune assistance given by some other power, and this support England alone could and did give.

[1] *Acts of the Privy Council*, xviii, 334–345, xxi, 260; *Cal. State Papers, Dom.*, 1581–90, 643; *Cal. Grimsthorpe MSS.*, 305.

CHAPTER XII

VERE IN THE NETHERLANDS AND NORRIS IN BRITTANY, 1590–91

APART from Henry's great victory of Ivry in March and some operations in the Netherlands, the greater part of the year 1590 passed away with less fighting than those which immediately preceded or immediately followed it. It was none the less for the warring states of central Europe one of the most important years in the whole period of conflict. Its earlier months were a pause in the struggle; before its close the contest began again with new elements and new intensity. It was in the first place marked by suggestions of a general peace. The obscure records, memorials and correspondence concerning such a possibility include a recommendation from the emperor to the Netherlands that they make peace with Spain, a discourse on the desirability of peace between England and Spain, an offer from the duke of Florence to the queen to mediate between her and Spain, and the rough outline of a plan of a confederacy so widespread as to guarantee peace, sketched out in the handwriting of Burghley.[1] In the conditions then existing, however, universal peace was rather an amiable hope than a possibility. Henry, as a substitute, would gladly have formed all the Protestant states into a league against Spain. This had been, as already stated, one of the propositions of his ambassadors to Elizabeth immediately after his accession. The new ambassadors, who had arrived late in 1589, M. Sancy and M. de Fresne, had special instructions to bring the proposal up again along with their request for further loans, and with M. Beauvoir they laid the matter before the English

[1] *Lansdowne MSS.*, ciii, 182–6, 194–9, 243–51, civ, 58.

ministers with considerable formality and detail. The proposition was that an offensive and defensive alliance binding on all princes who should join it should be made, and that it should provide for free and peaceful communication among its members and protection against their enemies and rebellious subjects. Any member of the league attacked by an enemy or by rebels should have the right to call on the other members to furnish certain stipulated numbers of troops at the expense of the country called upon. If the prince attacked should ask for more than this number of troops they must be furnished to him, if the numbers were reasonable, but at his own expense. Such aid should be continued till the end of the war, however long it should last. Thus a group of states would exist all whose resources would be at the service of each in time of need. Henry offered especially favorable terms to Elizabeth, since "in case of necessity it would be reasonable that the queen should have a larger number than a lesser prince." [1]

The ambassadors who had this project in charge were on their way to Scotland and Germany, in search of mercenary troops and approval of the scheme of the confederation. Elizabeth agreed to send to Germany with them Horatio Pallavicini whom she had frequently employed in half diplomatic, half financial missions, and to provide him with ten thousand pounds with which to hire soldiers for Henry. But the plan of a widespreading anti-Spanish and anti-Catholic league, so alluring to the temperament of Henry, did not interest the queen, who was never attracted to broad plans and lived in a world of details. Moreover as it was quite obvious that Henry was not in a position to defend anybody, even himself, a league in which all the other members were bound to provide at their own expense protection for the one attacked may well have seemed to her somewhat one sided. No action was therefore taken on the wider plans. They were not, however, forgotten. A copy of the

[1] *Cotton MSS., Galba*, E. vi, 458; Rymer, vol. vii, i, 12, *Lettres Missives*, iii, 25, 27, 29.

proposed terms dated a year later than this, August, 1591, still exists among the state papers; and Henry complained long afterward of the queen's neglect of his propositions.

However disinclined to general agreements, in individual cases Elizabeth was willing to exert her influence in favor of Henry's alliances, and just as she gave both diplomatic and financial help in the formation of the treaties with the Protestant German princes, so she aided Henry by personal letters and the advice of her agent in his negotiations at this time for a treaty with the sultan of Turkey. There was also some discussion of a joint expedition of England, France and the Netherlands for the restoration of Don Antonio, but nothing came of it.[1] Intervention in 1590 was in the air. In January the bonds were drawn more closely between the League and Spain by a new treaty; the Spanish king was given the title Protector of the Crown of France, and agreed to send some 16,000 foot and 3500 horse into France, to loan the Leaguers 500,000 crowns immediately and 20,000 a month while the war lasted. In return for this he was to have possession of certain towns in France, the free use of the Channel harbors, and assistance from the seaboard cities in the equipment and protection of any ships or fleets he might send against England or Scotland. The vessels of the enemies of Spain on the other hand were to be excluded from all French harbors under the control of the League. On the 8th of March Philip followed this up by a declaration addressed to all Christian princes, defending his action in invading France in support of the League, and shortly afterward ordered troops to march into France from the Netherlands. These were the forces which had been the subject of negotiation between the duke of Mayenne and Parma some months before and against the despatch of which Parma had so vigorously protested. Fifteen hundred cavalry under Egmont joined Mayenne just in time to be cut to pieces on the field of Ivry. This was, however, but the beginning of the policy of using the veteran troops of Spain

[1] *Cotton MSS., Galba*, E. vi, 347–366; *Duplessis-Mornay*, iv, 503–16.

and the military abilities of Parma in support of the League in the civil war in France. When Henry in May again laid siege to Paris, Philip ordered Parma to organize an invading army and himself advance to its relief. The prince, notwithstanding his disapproval of the policy, carried it out so effectually that he outwitted Henry, opened the river entrances to the city and forced the king in September to give up the siege and soon afterward to break up the greater part of his army for the winter.

The absence of some of the Spanish troops from the Netherlands, then that of Parma himself, following upon his ill-health and discouragement, gave to the Dutch and their English allies in that country an opportunity to carry on a more active policy, the beginnings of which are to be found in the year 1589. This bolder strategy, however, was as much the result of the personality of their military leaders as it was of their opportunities. The Netherlands estates under the influence of the genius, training and initiative of the young Count Maurice of Nassau, son of William the Silent, showed themselves more ready to organize extended military operations than they had recently been and the whole war gradually took on a somewhat more aggressive character. In these operations the English troops took an important, on many occasions a leading part. They were now under the leadership of a man scarcely older than Count Maurice. When Willoughby returned to England in March, 1589, he left the troops in the field in the charge of his young cousin Sir Francis Vere, who had been appointed by him sergeant-major in the field in the preceding January. Vere was twenty-nine years old. He was nephew of the earl of Oxford and the eldest of three brothers who, like the Sidneys and Norrises, were all soldiers. He had come to the Netherlands with Leicester as a volunteer in 1585, became a captain in 1586, and had seen service in almost every engagement of importance since, winning especial notice at Sluys and in the fighting before Berghen-op-Zoom. He spent a month in England on leave of absence in 1588 and was at that time presented to the queen.

A new period of the wars in the Netherlands may be considered to have begun on the 2nd of August, 1589, when the queen issued orders appointing young Vere commander of all the English forces in the field in the Netherlands and directed the governors of Ostende, Berghen, Brielle and Flushing to put as many of their troops as could be spared under his charge, to be sent where the estates should request them. The particular occasion for this action was a report that the Spaniards were about to invade the Bommelwart, a broad region strategically important lying on the south border of the revolted provinces. This attack was warded off, but the ready despatch of troops to the open field was indicative of the direction of later English activities in the Netherlands. It is true that the position of Vere was coördinate with that of the governors of the garrison towns, not that of a supreme commander. In fact in the orders of August, 1589, the governors of the towns were instructed to choose for the field only such captains and men as were already well disposed to Sir Francis Vere. But more and more it became customary to send men out of the garrison towns to service with this more active force. The good terms on which Vere stood with the other English commanders, his growing military reputation, and the increasing attraction and success of bold expeditions made the English governors and captains ready to answer his appeals and the summons of the estates to join in such expeditions. In fact Sidney, Norris and Morgan frequently left their charges under subordinate officers and joined in military expeditions under Vere's command. He was also aided by his two brothers, Horace and Robert Vere, Sir Nicholas Parker, and a number of other captains who if less exalted in rank than the noblemen of Leicester's time were far more experienced and able. This contingent in the field serving directly under Vere's orders, sometimes as part of the army under Count Maurice, sometimes in independent movements, was never at this time more than 1200 infantry and 400 cavalry, a small body if looked on as an army,

but active and efficient far beyond its numbers if compared with earlier more stationary conditions, and if judged by its adaptability to the work it had in hand.

Vere was not given the political powers of Willoughby, much less those of Leicester. He retained the title of sergeant-major, or as he was often called, colonel-general. The English government practically withdrew from the civil affairs of the republic, except as it could influence them through its diplomatic representative at the Hague, who still remained, in accordance with the treaty of 1585, a member of the council of state, but who was much more actively occupied in negotiations with the estates general, which had taken over so many of the council's powers.

The military operations under these more active conditions can hardly be followed in detail, but their main course must be traced. In August, 1589, as already indicated, Vere, with some 650 troops, took part in the successful defence of the Bommelwart against the threatened advance of Parma. Twice in the later months of 1589, he was sent by the estates in command of some nine hundred Englishmen and an additional body of Dutch soldiers to relieve Rheinberg, a hard-pressed outpost of the Provinces on the Rhine far to the east of Gelderland. He was successful in both of these expeditions, outwitting the besiegers in one case, defeating them in the other, and on both occasions replenishing the stores of the besieged and withdrawing in safety. The plans for the surprise of Breda, early in 1590, were talked over with Vere by the Dutch commanders, and with six hundred English soldiers he was with the victorious troops that rushed so unexpectedly into that important stronghold in the early dawn of March 4th. During the spring of 1590, nine English companies were among the troops who occupied the Betuwe and prepared the entrenchments opposite Nymwegen which were so effective the next year. In July, while Maurice was engaged in reducing a number of towns in North Brabant, Vere with a purely English force of eight hundred infantry

and five hundred cavalry made a rapid march across the moors into Westphalia, where Recklinghausen and other outlying towns held by the rebellious provinces badly needed succor. He was successful in scattering the Spanish besieging force, and on his return march captured for the estates an important fort on the lower Rhine opposite Wesel.[1]

During the last four months of 1590, while Parma was out of the Netherlands on his expedition for the relief of Paris, Elizabeth, following a bolder policy than was usual with her, set her heart on an invasion of the southern provinces he had left thus relatively unprotected. Desirous both of a diversion that would force Parma to return and thus relieve Henry, and of the "spoil of Flanders," she urged upon the estates, Count Maurice and her own commanders in the Netherlands a vigorous advance in favor of the common cause. She called their attention to the success of some recent raids made from Ostende, offered to the estates the unhampered use of the English troops in the Netherlands, and even talked of sending over some additional troops for the purpose. But she underrated the difficulty and expense of such a general movement and to her great disappointment nothing was done until the next spring.[2]

In the meantime Vere was offered by the queen his choice whether to take command of a regiment under Norris now in Brittany or to remain in his interesting but somewhat unpromising position as commander of the English irregular forces in the Netherlands. He chose to continue in his old position and before the year 1591 was over had built up, along with Count Maurice, on the advances of the years 1589 and 1590 a substantial structure of progress in the work of regain-

[1] Markham, *The Fighting Veres*, 148, 151–4, 158; Motley, *The United Netherlands*, iii, 6–15; Sir Francis Vere, *Commentaries*, 2, 3–10; *Acts of the Privy Council*, xviii, 6, 190, 430; *Cotton MSS., Galba*, D, v, 226; *Cal. Hatfield House MSS.*, iv, 50, 54, 57, 59, 60.

[2] *Lettres Missives*, iii, 120, 139, 279, 282–5, 287, 320; *Cal. Hatfield House MSS.*, iv, 32, 55–9, Rymer, vol. vii, i, 17, 19, 20; *Cal. State Papers, Dom.*, 1581–90, 643, 647, 648.

ing the northern Netherlands from the Spaniards. In May a stratagem gave him control of the outlying defences of the city of Zutphen, which had been betrayed by the English traitor Yorke some years before. He dressed up a number of his soldiers in the costume of market men and women, provided them with weapons to wear under their clothes, and sent them in small groups early in the morning to gather outside the fortified entrance to the ferry from the defences to the city. Then he ordered some horsemen to make a feint on the forts, the gates were opened to let in the peasants gathered outside, the disguise of his men was thrown off and they soon had possession of the forts from the inside. With Vere in possession of this advantageous position, Maurice laid formal siege to Zutphen itself, and this city so long desired capitulated within a week. The Dutch then pressed on down the river Yssel to Deventer, the capital of the province of Overyssel, which with the English help they captured in June. Vere then accompanied Maurice on a rapid march far to the north where Delfziel on the Dollart, one of the places through which the Spaniards brought supplies from Germany, was captured.

By July, however, Parma had returned from France and with his usual vigor had transported an army across the Waal into Gelderland and besieged the Dutch forts prepared in 1590 for a later advance on Nymegen. The dash and ingenuity of Vere seems to have been relied on by Maurice and the estates to break up this attack. He justified this trust, for in a series of skirmishes, feigned retreats and ambushes, supported by an obstinate defence of the earthworks, he prolonged the contest till so late in the season that Parma, in ill health as he was, withdrew his army in October, not only permitting the English and Dutch allies to retain their former foothold but to make a sudden advance on Nymegen and capture it the same month. Thus the close of the year 1591 saw a distinct improvement in the military fortunes of the young republic over their depressing state when Willoughby retired in 1589, notwithstanding the withdrawal of 1500

seasoned troops for a campaign in Brittany which had been by this time begun and their replacement by recruits.[1]

Although there were no English troops in France in the year 1590, except the few volunteers who were with Henry at Ivry, it was not because they were not asked for, or for lack of communication between the two sovereigns. An active correspondence was carried on. In the first place, while Henry was besieging Paris again, Elizabeth wrote him a peculiarly cold and hard as well as intrusive letter, protesting against his laxity in allowing a number of old men, women and children to leave the city during the midst of the siege, thus prolonging its resistance, as she thought, by too easy a show of mercy. At about the same time, on the other hand, she worked him a scarf with her own hand and sent it to him accompanied by a pleasant letter in her own handwriting. In the course of the summer she wrote him six times, four times in her own hand. Besides these letters sent directly to the king, on the 13th of August she dictated to her secretary a vivacious letter to the French ambassador from "Oteland, upon a Wednesday night, after hir coming from hunting." It was to accompany an emerald which she was sending as a present to Henry, "with her good will and affection and hopes that he will beat down all his enemies and put them to flight." She reminds the king suggestively that emeralds are said to possess the quality that they will not break so long as the owner keeps his faith entire and firm. She invites the ambassador to come out and spend a few days hunting with her, and closes by saying "Meanwhile I send you part of the fruit of my labors to-day. I was myself where the beast fell dead and took first essay of it." Henry's letters were full of gratitude for help already given and of urgent appeals for further grants of men and money. He warned the queen of the necessity of protecting Normandy and Brittany and the danger of a second Armada if the Spaniards should get a footing in either of those provinces. In October, a new ambassador, Viscount Turenne, came to

[1] Vere, *Commentaries*, 17–20; Markham, *The Fighting Veres*, 170–180.

England with the same request, and finding little encouragement passed on into Scotland and Germany in search of recruits.[1]

More than three fourths of the critical year 1590 passed away before Elizabeth gave any favorable reply to such appeals. Then news arrived in England that forced her to a decision. Parma, with 12,000 foot and 3000 horse, entered France from the eastern border, as already stated, in August. Only two months later, on the 12th of October, a Spanish force landed in the west. This incursion had been long prepared for. The League governor of Brittany, Philip Emmanuel de Lorraine, duke of Mercœur, in August, 1589, sent a captain Lobier to Philip of Spain with a letter asking for assistance in men, money and munitions in aid of the Catholic cause against the governor representing Henry IV, the heretic king. He offered Philip in return the use of the Breton ports for his naval operations. The king was much interested, sent an envoy, Diego Moldanado, with a cordial letter in reply, ordered that Mercœur should be immediately supplied with ammunition, and promised to send money and men later.[2]

It was not only the Catholic cause and the Breton seaports that aroused Philip's ready interest. His wife, Elizabeth of France, was descended from Anne, the last heiress of Brittany, and Philip saw from the beginning a vague possibility of reëstablishing the old ducal line in the person of his own daughter. He instructed his envoy therefore to investigate the circumstances by which Brittany had been united to France and the feeling of the inhabitants of the country toward the union. In the course of these inquiries Moldanado learned that care would be necessary since there was some dread of the landing of Spanish soldiers and suspicion of Philip on account of these old claims, but he assured

[1] *Lettres Missives*, iii, 190, 191, 279, 282, 283, 333 n.; *State Papers, Foreign, France*, xxi, 308.

[2] Gaston de Carné, *Correspondance du duc de Mercœur et des Ligueurs Bretons avec l'Espagne*, i, 5, 8, 9,

the principal inhabitants that the object of the king was only to help the Catholic faith.

Mercœur, also, probably, had ambitions beyond the mere administration of his governorship. His wife, Marie de Luxembourg, was, like the wife of Philip, descended from the old dukes of Brittany, though not in so direct a line, and long afterwards he expressed his regret that he had made so little of his pretensions.[1] These ulterior interests of governor and king did not of course appear in the open negotiations for Spanish assistance, though their presence undoubtedly influenced the policy which was adopted. In March, 1590, Mercœur despatched another envoy to urge haste in sending the promised succor and in July complained that the fine army which he had prepared to join the Spaniards when they should make their descent had dissolved to gather in their harvests. Philip then sent word that 3000 men were on their way; but it was not until three months later that this body of men landed at St. Nazaire. Like all armies of the period their numbers were defective, their condition bad and their pay in arrears. Some immediately went into hospital at Nantes and others scattered through the country foraging for the food which they had no money to buy. However, they were soon gathered together again by their commander, Don Juan d' Aguila, a junction was made with the forces of the League under Mercœur, and they marched westward and laid siege to Hennebon. This city, lying two leagues inland and commanding Blavet, the most available harbor for the landing of further Spanish troops in Brittany, had been captured the year before by the royalist governor of the province. The strong force now brought against it forced its commander to capitulate with all his artillery and Hennebon became for the future in a certain sense the fortified base of the Spanish invaders; while Blavet, the modern Port Louis, became their port of entry into Brittany. Philip wanted Brest, a

[1] Carné, vol. i, xi, xiii, quoting a letter of July 14, 1599, from Joüon des Longrais, *Le duc de Mercœur*, 80.

nuch more valuable seaport, but under the circumstances it vas impracticable to turn it over to him. The citizens of nany of the towns of Brittany, especially the seaports, ither took possession of the castles that controlled their treets and harbors, as at St. Malo, and carried on their rade independently of both contestants, or else, as at Brest nd Morlaix, they exercised such a dominating influence ver the commander that he was not at liberty to act without heir approval. The estates of Brittany must also be reckoned ith. The freedom with which the military governors could ispose of the walled towns of the country was thus very nuch restricted, and their operations were largely in the pen country, the villages and the smaller towns. Therefore, lthough the governor claimed to be able to offer Philip rest, Morlaix and three other towns in Lower Brittany nd there was much correspondence on the subject, Blavet emained the only harbor in Spanish hands.[1]

Report exaggerated the troops that landed in October to ooo, and there were widespread rumors that additional orces were being prepared in Ferrol and Corunna to re-nforce those already in Brittany. As a matter of fact five nonths later 2000 more Spanish troops did disembark at lavet. Another rumor spread that the duke of Parma nd his army instead of attacking the king before Paris ould make a détour and march rapidly across France to in the other Spanish troops and take possession of the whole rovince of Brittany.

These occurrences and reports made a profound impres-ion. The prince of Dombes, the king's governor, wrote to he estates of Brittany appealing to them not to yield their ountry to the Spaniards to become the scene of the same yranny and cruelty that was devastating the Netherlands. f they would not give him help he begged them at least to emain impartial spectators of the struggle between his orces and those of the League and Spain. He wrote at the ame time to Turenne in England, appealing through him to

[1] Carné, vol. i, xxiii, xxiv, xxxv, xlv, lii, 25, 89, etc.

the queen for two thousand troops, which he promised the French king would pay for.

The estates of Brittany, which met in December, 1590, proved to have a native, if not a royalist majority, and also looked across the water to Elizabeth. They resolved to obtain the king's permission to ask the queen of England, as being the most interested sovereign, to send a force of two thousand men into Brittany, at their expense, equipped to help in the resistance to the Spaniards and Leaguers. Their deputies found Henry at Senlis January 20, 1591, and experienced no difficulty in obtaining from him the necessary authority. Gabriel Hux, treasurer of the estates of Brittany, and one of the deputies arrived in London a week later and presented the request of the estates to the queen.

These urgent appeals were, indeed, scarcely necessary. Elizabeth had heard from other sources the news of the disembarkation of the Spaniards, and had realized the necessity of action. She was always sensitive to the acquisition by the Spaniards of any further influence on the opposite side of the channel, and although Blavet and Hennebon lay far to the south she perceived clearly enough that a firm footing of the Spaniards anywhere in Brittany would be most dangerous to the interests of England. The reports of a large number of invaders and a possible advance of Parma's army to the west reached England in their most ample form and were generally believed. Sir Roger Williams in a memorial on the military conditions of the time declared that it would be better for England to allow the Spaniards to have five other provinces than Brittany, and that at least eight thousand English troops ought to be sent thither. Elizabeth had therefore determined to prepare a new army to be sent to France, to meet the danger in Brittany, even before the appeals of the king, the prince of Dombes and the Breton estates reached her. These appeals nevertheless served to confirm her wayward resolution and gave a welcome opportunity to charge the expense of the expedition to the French.[1]

[1] Rymer, vol. vii, i, 46–7, 49; *Lettres Missives*, iii, 331–4.

In the middle of January, 1591, she issued orders for the levy of three thousand troops, and soon afterward despatched Sir Edmund Yorke to France to see what were the best terms that could be arranged with the king. He was instructed to express the queen's surprise that Henry had not himself immediately hastened to the succor of Brittany, and to urge him to cut off the duke of Parma from any advance on that province. At the same time he was to state that she had offered the French ambassador two or three thousand troops if Henry would pay for them and grant her reasonable requests. The most important of these requests were that the king would give some better security for the repayment of the sums she had already loaned and was now about to spend in his defence, and that he would grant to her the use of the harbor of Brest as an anchorage for her shipping and the town as a place of lodging and refuge for her soldiers. The French ambassador in England was provided with a copy of the queen's instructions, but the negotiations took place directly between Henry and Yorke, who soon brought back the king's reply, dated March 4th. There was little difficulty about the first demand. Henry was never niggardly in promises. He gave full power to his representatives to sign all possible documents promising full repayment for everything.

As to the second request, the temporary possession of Brest as a military and naval base, he was somewhat more cautious. This on the other hand was a favorite idea with Elizabeth. To obtain some kind of a territorial foothold in France was an ever present if a somewhat vague hope in her mind. The loss of Calais had never been forgotten. The occupation of Havre in 1562 as a gage for the help she gave the Huguenots at that time may have suggested the possibility of a substitute for the ancient possession of England on the French side of the channel. She already held two towns in pledge in the Netherlands, and the practice of giving temporary possession of towns as security for loans, guarantees of good faith or places of refuge was well established in European inter-

national relations. Elizabeth declared in her instructions to Yorke "It hath ben a thing usual among Princes that are succored, if ye succor passes the sea, to have some certain place for safety of men and shipping." Henry had offered to the German princes such border cities as they required, and every truce which had interrupted the civil wars in France had been fortified by the grant of the occupation of certain towns by the leaders of each party. Although she probably did not know that Philip was negotiating with Mercœur at the same time for possession of the same city, she knew that he had been offered other towns by the League, and had recently occupied and fortified Blavet. Why should she not obtain a cautionary town in France? Besides this fixed idea in Elizabeth's mind there was good ground for her claim that a place for ready disembarkation and possible retreat was necessary to the safety of her ships and troops, as the event proved. Henry on the other hand was both now and afterward suspicious of Elizabeth's desire for the control of a seaport. He feared, perhaps with reason, that once in her hands it would never be given up. He answered therefore at this time somewhat cautiously that the queen might use the harbor and town of Brest, as well as his other towns, as freely as if her army and navy were his own. The castle of Brest, however, he excused himself from delivering to English occupation, on the ground that such action would be looked upon with great disfavor by his adherents among the Catholic nobles of France. As a substitute for this strong city, however, he offered to allow Elizabeth to capture from the League, fortify and place under any commander she might choose, a little seashore place named Relaner, which had been partly fortified sometime before.

Although no definite agreement seems to have been entered into on the point of numbers, the French ambassador gave the queen to understand that Henry would see that a body of royalist troops double that of the army she was sending

would join it in Brittany. With such general offers on the French side Elizabeth had to be content.[1]

The command of the expedition was given to Sir John Norris, who since his return from the Portugal voyage had been considered for the charge of the expedition to Normandy which Willoughby had led, then sent for a short period of service in Ireland and had now lately returned to England. The reputation of Norris as a soldier was beyond question, but complaint had more than once been made of his impatience of control and his unwillingness to consider the views of those who shared responsibility with him. The failure of the Portugal expedition was charged by some to his precipitancy, and now Burghley was warned by a correspondent that similar failure could only be avoided by forming a council of officers and requiring Norris to respect its advice.

But whether wisely or unwisely no such restriction was included in the commission that was given to him. He became, January 11, 1591, "General of the Queen's army in Brittany," a title which he was destined to retain for more than four years. His first duty led him, however, again to the Netherlands. The difficulty of sending raw recruits to meet a trained army was clearly recognized, and Henry had begged for veteran troops for this service. They could be found, as usual, only in the Low Countries, and although it was known there would be much opposition to their removal, Elizabeth agreed that the three thousand troops for the expedition to Brittany should be drawn thence and replaced by newly levied English troops. Norris was therefore sent to the Netherlands, as before the Portugal expedition, to use his personal influence in persuading both Dutch and English authorities to agree to the departure of the seasoned men. Even his persuasions, however, were ineffective, and after many alterations of plan a compromise was arranged. Ten companies, making up fifteen hundred men, one half of the

[1] Dombes to the estates of Brittany, Oct. 15, 1590; DeThou, *Livre* xcvii; *Acts of the Privy Council*, xx, 204; Rymer, vol. vii, i, 46, 48, 51; *State Papers, Foreign, Treaty Papers, France*, 1579–94.

proposed force, were to be taken from the Netherlands and replaced by new troops from England; the other ten companies should be made up of men recruited in the south-western counties of England and sent directly from thence to France. The weakness of absolutely new troops had, however, been made so manifest in Willoughby's expedition that even the recruits sent to the Netherlands and France were selected as far as possible from those who had been soldiers before, and the county authorities were allowed to take one half of the number to be levied from the trained bands of militia. This requirement did not, however, guarantee soldierly qualities. Norris complained bitterly that half of the Somersetshire contingent were "the worst men and the worst furnished he ever saw," and that he would be forced to leave many of them behind, "the men being so poor and weak that they will scarce endure the passage by sea." He was equally dissatisfied with their equipment and the supplies furnished for them. He had much higher ideals of the requirements of food for the troops than the queen and her official councillors, and in February was busy holding conferences with London merchants as to the provision of beef, beer, bread and biscuits for the troops during the month which would be required to place them in Brittany.

All these negotiations and arrangements involved, as usual, much delay, notwithstanding the continued presence and urgency of the representative of the estates of Brittany, the repeated letters of Henry transmitting to the queen rumors of the coming of new troops to Blavet and the arrival in March of a special ambassador, de Reaux.[1]

Finally, however, in the early days of April, the troops destined for the Netherlands were gathered in the south-eastern ports, those intended to be sent directly to France at Portsmouth and Southampton. April 11th, the general,

[1] Norris to Burghley, April 14, 1591, *Cal. State Papers, Dom.*, 1591–4, 6, 26; Henry to Beauvoir, Feb. 22, April 6, 21, 1591, *Lettres Missives*, iii, 827, 829; Grimstone to Burghley, March 7, 1591, *Cal. Hatfield House MSS.*, iv, 62, 88, 92, 97, *Acts of the Privy Council*, xx, 204, 210, 247, xxi, 26.

his brother, Sir Henry Norris, Captain Anthony Sherley and the other principal officers rode by post from London to Southampton, where they spent a week in completing the preparations. While here a change of plan was ordered by the queen. Six hundred of the troops were detached from the main body and sent under Sir Roger Williams to Dieppe to assist the governor of that city in its defence, but only under very special circumstances to take part in any action outside. Elizabeth was anxious that Dieppe should not fall into the hands of the enemy, but not ready as yet to risk English troops again in the field in Normandy.

On the 27th of April the army for Brittany set sail in twenty-three ships, and on the eve of the 30th arrived in the roads of the Isle of Jersey. The troops from the Netherlands which were to meet them there had been delayed. Some were compelled to run into Dover for additional supplies on the 26th. On Monday, May 3rd, however, they arrived at Jersey and found Norris awaiting them; the next morning they all sailed together, and at night anchored in the harbor of Paimpol, almost the most northerly point on the rugged coast of Brittany. The sudden appearance of the English fleet and the chance capture of a vessel loaded with fish and salt sailing from the Isle of Brehac to St. Malo led to the surrender of Brehac and the small places on the adjacent coast to the English. Paimpol and its whole neighborhood were thus left quietly to their possession. The little Breton town looking to the setting sun across its wide bay became for some years practically an English possession. Although it went out of their hands temporarily more than once it was promptly recaptured, and expedition after expedition from England made its way into its harbor. Some of its old dwellings are still known as the English houses, and the villages and towns that lie along the coast and back from it inland are familiar names in the English records of the time. Norris occupied as headquarters the neighboring abbey of Beauport, from which he reported his arrival to the council. After a week spent in marshalling his soldiers he joined the

prince of Dombes, and on the 10th of May they pressed inland to Guingamp, the nearest large town. As the army approached the town they saw its outlying houses burning and hastened forward to seize such as could be saved. In those days of closely walled towns the suburbs, which in time of peace and prosperity spread far beyond the walls, in time of war were sacrificed promptly and ruthlessly by their own possessors, if they had time, rather than leave them as a cover to the enemy.

The one cannon and two culverins possessed by Norris were put in position and used with such good effect that on the third day, after four hundred shot had been fired, a small breach was made in the walls. Although the artillery of the prince of Dombes, expected from Brest, had not come, with the usual French precipitancy he urged Norris to an immediate assault, to which the general reluctantly agreed. The French demanded permission to lead the assault but Norris claimed that privilege for the English. All the English captains wanted to be first in the attempt, and to avoid contention the general caused them, according to the custom of the time, to throw dice to decide who should lead the first two hundred men to the assault. The fate that gave Captain Heron the leadership prepared at the ramparts a pike thrust for his throat, of which he died the next day. A Captain Dennis, who attempted an escalade, was shot and killed at the same time, as well as some forty soldiers. However, after the failure of two assaults and ten days more of battery, on May 24th Guingamp surrendered and the French and English entered the old town together.[1]

Norris wished then to push on along the coast to Morlaix, whose Leaguer merchants, carrying on a half-smuggling trade with the western counties and Ireland, were an old thorn in the side of the English. But a report came that Mercœur with his combined forces had broken up his camp at Pontivy near Hennebon, and was himself marching by way of Corlay

[1] Thomas Churchyard, *Service of Sir John Norris in Brittany in 1591*, 119–121; *Rutland MSS., Hist. MSS., Com., Rep.*, 12, App. 4, i, 291; Burghley to Grimstone, Birch, *Memoirs of Queen Elizabeth*, i, 65.

to anticipate them at Morlaix. The allied English and royalists marched southward to intercept him, but instead of fighting a battle the two armies took up their positions, the English and royalists at Châtelaudren, the Leaguers and Spaniards at the village of Queremer, north of Corlay, four or five miles from the English camp. Between them lay one of the open heaths so characteristic of Brittany, where the remaining three weeks of the month of June were spent in skirmishing, night attempts to cut off outlying parties of the enemy, "revenges" and other inconclusive actions. The English and royalists claimed that Mercœur would not come into the open field to fight, notwithstanding their repeated invitations. It would seem that neither of the two hostile armies was strong enough to force a battle on the other, and neither was sure enough of the outcome to wish very seriously to do so. In the early days of July the English army broke up its camp, marched eastward and occupied the large and wealthy town of Lamballe, the Leaguer garrison withdrawing to the castle, which was then besieged. In the fighting before this castle several English and French officers were killed, among the latter de la Noue, who had joined them at Châtelaudren with the counts of Montgomery and Combourg and a number of French volunteers. He could ill be spared. The French contingent was discouragingly small in this whole campaign. Instead of providing twice the number of the English they were never probably half as many. The marquis of Villeneuve appeared for a while with two hundred and twenty horse and seven hundred foot; but such volunteers came and went, and the prince of Dombes frequently had so few under his command as to form little more than an inconsiderable adjunct to the English army.

In the middle of July the siege of Lamballe castle was abandoned at the news of the arrival of Mercœur in the neighborhood, and the next few weeks were spent in skirmishes between the two forces. But no pitched battle took place and no important captures were made on either side. Instead there was a constant series of encampments, dislodgments

and marches from one spot to another. The English army passed from Montcontour to St. Brieuc, then back to Collinec, thence to St. Méen, Bréal, Chateaugiron, St. Aubin, St. Allaire, Fougères Ernée, Couringe, working their way eastward, but apparently seldom if ever meeting the enemy, and only occasionally capturing for the king a castle or unimportant town. In the middle of November, rather unexpectedly, the enemy were driven out of the castle of Dorec, and the English Captain Latham was placed in it as governor, but this was a petty conquest.[1] Both armies were declining in numbers. Notwithstanding the constant rumors of Spanish reinforcements none came, after April, during the whole remainder of 1591 and ten months of 1592. In July, 1591, Mercœur had altogether but 3720 men in the field. The English army was still smaller. In the middle of June six hundred troops were levied and sent over to fill the deficiency which had existed ever since Williams' detachment had been sent to Normandy; in July two hundred volunteers, some horses and supplies were sent from England. Money enough had been taken over to pay the wages of the troops till the end of September, and through the autumn additional money, food and clothing were sent over from time to time. But no more men reached Brittany and other supplies were at best irregular and inadequate. A number of the officers were killed and several licensed to return to England. The total numbers can scarcely have reached two thousand. As the autumn came on the soldiers suffered severely from cold and sickness. Norris sent letters to England every few weeks and some news made its way to court indirectly through the English ambassador at Henry's court. But there was little communication in the other direction. For some months the little English army remained an almost detached, unsupported and independent force.[2]

[1] *Journal or Briefe Report of the late service in Britaigne*, 8–12; Churchyard, 122–128.

[2] Carné, i, 59–61; Churchyard, 130–132; *Acts of the Privy Council*, xxi, 192–200, 256, 361, 413; *Cal. State Papers, Dom.*, 1591–4, 51, 56, 65.

There was much dissatisfaction in England with the progress of the campaign. Norris had suffered no defeat, but he had also accomplished little. The French had obviously not carried out their engagement to keep 6000 regular troops in the field in Brittany. Those that had come there from Normandy had either been withdrawn or disbanded and many of the Breton volunteers abandoned the army in the fall to attend to the harvesting of their crops. Of this Elizabeth complained bitterly in letters both to Henry and the prince of Dombes, and threatened repeatedly that she would withdraw all her troops from Brittany unless the king and the governor fulfilled their agreement. As a warning, in August she ordered the warships then in the Channel to go to Jersey to convoy the English troops home as soon as Norris should send word that he was ready to return.[1] In Brittany there was some friction between the English and French commanders. In August Dombes and his councillors planned a joint campaign involving the departure of the English from the coast for the "high parts of Brittany," toward Rennes. To this plan Norris objected, both as being against his orders from the queen and against his judgment of what was good strategy. His troops were also in such poor condition that he felt it impossible for them to depart on such a campaign without some weeks of recuperation in a town or settled encampment. He put these arguments in writing and laid them before the French governor, and at the same time sent a copy of his protest to the queen. Elizabeth approved of his objection, ordered him to come home rather than take his army so far inland, and through her ambassador protested to the king against the plan. She wished to fight her own battles in France, not Henry's. Dombes on the other hand showed his dissatisfaction by refusing to join Norris in a proposed resumption of the siege of the castle of Lamballe, and objected to his plan for an attack on Corlay and Craon.

The campaign into upper Brittany ceased to be urged as a

[1] Burghley to Unton, July 27, Aug. 3, Aug. 18, 1591, *Unton Correspondence*, 13, 36, 37, 45, 49; Rymer, vii, i, 60.

definite project, but as a matter of fact the general movement of the English army during the autumn and winter months was inland and toward the east. It passed across the alternate moors and cultivated tracts of Brittany, through a score of towns and villages, stopping a day or a few days at each, till it got as far eastward as Gouron. There it lay for two months. In January there was a momentary probability of more vigorous action. The prince of Conty came into Brittany to join the prince of Dombes, and they held a conference with Norris at Vitré on the 11th of January, 1592, as to future plans. It was evident that nothing of a serious nature could be accomplished with the forces in their present condition, and at the request of the French leaders Sir Henry Norris, lieutenant to the general, was sent over to England with letters to the queen asking her to reinforce her troops in Brittany. He left Laval for England by way of Caen, January 28th. He passed on the way a messenger bringing to Brittany letters giving the general the permission to return to England for which at a period of discouragement he had already asked. Without waiting for an answer to the later message concerning reinforcements, Norris went directly to England, leaving his troops in camp at Gouron under the command of Captain Anthony Wingfield, sergeant major of the expedition. He reached Caen February 21st, sailed on the 28th, reached Portsmouth on the 1st of March, and on the 8th was writing to France from his house at Puddle Wharf in London. The expedition to Brittany had thus been brought to at least a temporary close, with the general and his second in command both in England, and the army, now reduced to about twelve hundred men, lying for the time inactive in eastern Brittany.[1]

[1] Rymer, vol. vii, i, 62, 64; Churchyard, 129, 130–2, 133; *Union Correspondence*, 117, 121, 263, 366; *Cal. State Papers, Dom.*, 1591–4, 91, 100, 103, etc., 254.

CHAPTER XIII

THE EXPEDITION OF ESSEX TO NORMANDY, 1591

BRITTANY was not the only region of France in which English troops were engaged during the year 1591. The campaign in Normandy of the summer and fall of that year, the central point of which was the siege of Rouen, was one of the best known military events of the time and has left an abundant contemporary literature both in England and France. A variety of inducements led Elizabeth to give pecuniary and military assistance to Henry IV. One of these was particularly insistent in the years 1590 and 1591. In addition to her dread of the extension of Spanish power, the desire to increase her influence across the channel, the personal solicitations of Henry, and possibly a certain amount of religious sympathy with him and his party, she could not disregard the urgent appeals of her favorite, the earl of Essex, for an opportunity to win military glory. Essex was gifted and high-spirited. He had great political ambitions, and a military career seemed the shortest route by which to attain power. So long as he stayed at home, the "domesticall greatness," which some of his friends urged him to seek, must be dwarfed by that of the influential lord chancellor and the aged lord treasurer. If he won great success in war he might override their influence. He was deeply in debt and hoped, like other military men of the time, that a successful campaign, with its chances of plunder, of the capture of distinguished prisoners who might be richly ransomed, or of such brilliant exploits as would demand a reward at home, would free him from this burden. His surreptitious participation in the Portugal expedition had accomplished neither of these results, though it had given him a certain credit in arms and had whetted his appetite for war.

The career of Henry had a special attraction for Essex. The chivalrous character of the French king, his arduous struggle for the crown, his evident need of assistance against a stronger enemy, all seemed like a chapter of old romance, and Essex frequently grieved over his lack of freedom to join him and the hard fate which condemned him to the life of a royal favorite.

Henry wrote to him, as he did to other influential English councillors, and Essex in all his correspondence asked with eager interest for news of the war in France. In November, 1589, during Willoughby's campaign, he writes from court to the French captain de la Noue, "I should be very happy to have some opportunity by which we could together win honor and serve the common weal. I am idle here, and have nothing to do but to hearken for such opportunities." When, in October, 1590, Viscount Turenne came to England to solicit troops, Essex gladly acceded to Henry's request to use his influence in gaining the queen's assent, hoping himself to be their leader. But the effort to induce the queen to send a new army to France was at that time unavailing. The expedition to Brittany, sent a few months later, was based upon different claims, and had special requirements which only a veteran commander like Norris could fill.

Afterwards, however, conditions became more favorable for Essex. When in March, 1591, de Reaux arrived bringing a new appeal from Henry not only for haste in sending troops to Brittany but for three thousand more footmen for a campaign in Normandy, it seemed that the opportunity of Essex had come. Possibly the despatch in April of Sir Roger Williams, a close personal friend of Essex, to Dieppe with six hundred of the men originally destined for Brittany was a partial concession to this request. But if so it did not satisfy the applicants. Neither Henry nor Essex allowed Elizabeth to forget their wishes. The king wrote again later in April. Essex told the French ambassador that he had knelt before the queen more than two hours at a time on three occasions, begging permission to go to France, and although he had

been refused each time he was still hoping to obtain leave. On the 3rd of June Henry sent de Reaux over for a second time with a letter thanking the queen in the most submissive and adulatory terms for sending Norris and Williams, praising highly the service the latter had just performed outside of Dieppe and begging for four thousand men for Normandy. Doubtless instructed by the reports of his ambassadors he asked that the earl of Essex should be their leader, although at the same time he deprecated interfering with the queen's choice of a commander and apologized for his ambassadors' audacity in making such a suggestion.

Essex on his knees, Henry in his flattering letters, the skilful arguments of the ambassadors and the steady pressure of Elizabeth's most serious counsellors made a combined assault that was irresistible, and late in June the queen, reluctantly, and, as she frequently declared, against her better judgment, agreed to the despatch of a new expedition into France, of which Essex was to be the general. News had just come of the early successes of Norris in Brittany. On the 20th of June, 1591, Essex, exultant and optimistic as usual, writes to a friend, "I am commanded into France for the establishment of the brave king in quiet possession of Normandy."[1] On the 24th of June letters were sent through the counties ordering the levy of 3400 men, which with the 600 of Sir Roger Williams already in Dieppe would make up the 4000 for which Henry had finally asked. These troops were levied from fourteen counties, including some in the north as well as the southern and midland shires. There was no question in this case of obtaining veteran troops, but the lords lieutenant of the counties were given the most stringent instructions as to the careful choice and equipment of the recruits. A good supply of ordnance and ammunition was later provided, partly from the Tower, partly from the Island of Guernsey. After the levy of the troops had begun, it was ordered that a cornet of 100 horse should be organ-

[1] Devereux, *Lives of the Devereux, Earls of Essex*, i, 213–215; *Lettres Missives*, iii, 383, 399; Churchyard, 124.

ized and substituted for 250 footmen. For a while it seemed that cavalry was to take a more prominent part in English warfare than it had played for a long time. Essex organized a private troop of horse, made up of his friends and dependants, serving at his expense. All his tenants were called on to pay the sums provided for in their antiquated leases to equip men to follow him when he should go in his own person to war, and this money he used in supporting additional horse. A number of mounted gentlemen volunteers also joined him. When Henry wrote in July stating how happy he was to learn that Essex was coming over, he begged that the queen might loan him some more money with which to levy 500 cavalry in England. But this loan was refused and the army remained, as was true of all the English armies of this period, essentially a foot force.

The army for Normandy, as finally constituted, consisted, in addition to the cavalry, of twenty-one companies of footmen. They were placed under carefully chosen if somewhat young captains, — Wingfields, Baskervilles, Careys, Morgans, Poores, Cliffords, Gorings and other names now becoming famous in England from the exploits of members of those families in France, the Netherlands, Portugal and Ireland. "I have not known so gallant a troope goe out of England with so many young and untrained commanders," writes Sir Thomas Wilkes to Sir Robert Sidney. Essex himself was but twenty-six years of age and the queen insisted that Sir Thomas Leighton, governor of the Isle of Jersey, and Sir Henry Killigrew should accompany him not only as officers of the camp and field but as authoritative counsellors. Leighton's familiarity with the French language and personal friendship with the earl made him especially suitable. The English ambassador in France was also instructed to watch over Essex and give him advice as to his actions, even if unpalatable.[1]

[1] Wilkes to Sidney, July 11, 1591, *Sidney Papers*, i, 327; *Acts of the Privy Council*, xxi, 220, 230, 234; *Lettres Missives*, iii, 448; *Cal. State Papers, Venetian*, 1581–97, 65; *Memoirs of Robert Carey*, 24, 25.

As in previous cases, the equipment of this force suffered some interruption, and on the morning of the fifteenth of July messengers were sent posting into various counties with orders from the queen to hold back the troops appointed to be ready at the seaports by the twentieth of that month. In the afternoon she had changed her mind again, these orders were as hastily revoked, and the preparations continued. The great stumbling-block in the way of the departure of the troops was no doubt the contemplated absence of Essex. The queen had long before this become so fond of him that she could scarcely bear him out of her sight. His flight to Portugal with Drake and Norris in 1589 and his marriage in 1590 had both been forgiven rather than to see him gloomy or to miss him from her court altogether. She was unhappy unless she saw him daily, and she could not with complaisance agree to his departure from the country for an indefinite period. On the other hand her statesman-like recognition of the circumstances of the time showed the desirability of further intervention in France and her word had already been given to Essex that he should be the leader of her forces there.[1]

A second difficulty was the financial one. The early loans to Henry had not been repaid. The equipment and transport of the expedition of Norris to Brittany had cost more than £2000, and its running expenses amounted to some £3500 a month. Although the organization of the army had been begun before a formal engagement had been entered into, Elizabeth had no mind to go to still greater expense without additional security, if it could be obtained. The possibility of a territorial foothold also again presented itself, not now in the form of a city of refuge but of one or more towns to be held in pawn for the repayment of the debt. While Essex impatiently waited, a series of conferences was held between the two French ambassadors on the one side and Burghley, Hatton and Howard on the other. Terms were

[1] *Acts of the Privy Council*, xxi, 241, 283–5, 289–93, 441; Rymer, vol. vii, i, 60.

finally arranged and an agreement signed August 14, 1591. Elizabeth agreed to complete the preparation of the army the equipment of which had been already begun and to pay them for two months from the time of their disembarkation in France. After the two months, if they remained in France, they were to be paid weekly, or at furthest monthly, by the French king directly. All the loans previously made by Elizabeth to Henry, the expenses of Sir John Norris in Brittany, the cost of equipment of the troops now being prepared for Normandy and their wages for two months were acknowledged by the French ambassadors as valid debts. For the payment of these debts it was agreed that all the taxes and income of every kind coming to the French crown in Rouen and Havre should be collected by officials of Elizabeth, from the time when these two cities should by the joint efforts of French and English be captured until the full debt was repaid. To guarantee this payment the towns should be held by Elizabeth during that period. In order to make this agreement effective it was to be accepted by the king and sealed in the French chancery.[1]

The closer military and financial relations arising from the presence of two English armies in France seemed to call for a closer diplomatic connection, and in place of Sir Edward Stafford, who had lately returned, a new ambassador was appointed and sent over at the same time as Essex. This was Sir Henry Unton. The commission of Essex was signed July 21, 1591, the instructions of Unton, July 24; they were both at Dover on the 27th, and arrived with the troops in Dieppe August 2, exactly three months after the arrival of Norris and his forces in Brittany. This army was equipped on the whole the most promptly and with the greatest care of any sent out during this period. Elizabeth boasted that but three weeks intervened between her consent to its levy and the assembling of the troops, but her calculation differs somewhat from that of the state papers. Essex was able to

[1] Rymer, vol. vii, i, 56; *State Papers, Foreign, Treaty Papers, France, 1579–94.*

take much satisfaction in its personnel and to receive the congratulations of the French on its appearance, instead of feeling ashamed of his command, as had been the experience of both Willoughby and Norris. Yet it was destined to accomplish the least of any of the English expeditions to France and to suffer quite as much as any. Its movements were hampered by the queen's original instructions. It was not allowed to leave Dieppe till the financial agreement with the French ambassadors had been ratified by the king, sealed by the chancellor at Nantes, confirmed by the *parlement* at Tours and returned to Essex to be transmitted to England, a process which required three weeks to complete. Additional ordnance had to be brought from the Island of Guernsey, which required a month more. Week after week the army lay idle in its entrenchments at Arques, doomed to inaction, partly by the necessity of waiting for the countersignature of the treaty and the completion of its equipment, partly by the absence of the king from Normandy.

While the army is lying inactive in Normandy in August, 1591, it may be worth while to make a rapid survey of the situation of the various bodies of English troops at this time of the furthest extension of Elizabethan military operations. Sir John Norris with his little body of some two thousand or three thousand men was slowly marching from place to place eastward through Brittany, getting further and further away from Paimpol, his original base. Two hundred miles to the east, in Normandy, not only was Essex with his four thousand men lying in camp at Arques, but Dieppe, although under a French governor, was in many ways an English station. Otwell Smith, an English official, was regularly established there and had hired a warehouse for the storage and issue of supplies to the English troops. Many English merchants were there for the sale of their goods to Henry's soldiers and subjects, and English vessels came constantly into and out of the harbor on private or government service.

One hundred and twenty-five miles further to the north-

eastward along the coast, at Ostende, began the line of towns in the Netherlands occupied by English troops and under English governors. Flushing, Berghen-op-Zoom, Brielle and some smaller camps carried the series of stations seventy-five miles further. The troops in the field in the Netherlands had been weakened by the withdrawal of many of the old companies for service in Brittany and the substitution of new recruits; nevertheless it was the summer months of 1591 that saw the recapture by the joint forces of Vere and Maurice of Zutphen and Nymegen, the principal cities of Gelderland, Deventer, the capital of Overyssel, and Delfziel in the far northern province of Groningen. Later in the winter of 1591 Vere and a body of English troops were with the futile expedition for the surprise of Dunkirk and the general received there a wound in the leg that put an end to his activity for some months while he lay in the hospital at the Hague.[1] There were also a few English volunteers on the continent directly in the French and Netherlands service. Thus some ten or twelve thousand English troops were established at six or eight points scattered along four hundred miles of the continental coast, in addition to such troops as were in Ireland and such war ships as were upon the sea. These numbers were by no means large for England's population, and their expenses were by no means great in proportion to England's resources, if any adequate means had existed for drawing on those resources. They were quite numerous enough however to make this distinctly a war period for England. The coming and going of soldiers, the creation of a group of "men of the sword," as a contemporary chronicler calls the officers, the appearance of the soldier as a stock character on the stage, and a new element of disorder in the country, the growth of martial law, and the pamphlets that were published recounting military adventures and experiences gave one additional phase to the many-sided interests of these last decades of the reign of Elizabeth.

In no one of the expeditions of the time was popular interest

[1] Markham, *The Fighting Veres*, 120–180.

keener than in that to Normandy. Its fortunes however did not flourish. The two rulers were at cross-purposes from the beginning. The queen had set her mind firmly on an immediate siege and capture of Rouen. Henry on the other hand was not yet ready for joint operations, or at least not in Normandy, where alone the queen would approve of them. He was engaged in the siege of Noyon in Picardy, and on its surrender undertook the siege of the neighboring town of Pierrefonds. He had still other military needs pressing upon him which held him in the east of France, and here, much to the queen's disapproval, Essex went to visit him.

Sir Roger Williams, who had come over with the 600 men in March, had found his orders to remain in Dieppe irksome, and had taken advantage of the vagueness of his instructions to join the French in several military affairs. He had taken part in a successful attack on two regiments of Leaguers who were intercepted and defeated near Dieppe. He then drifted still further eastward and took part with Henry in the capture of Noyon on the 9th of August. He was immediately sent to Dieppe by Henry with news of the surrender, and either of his own initiative or at Henry's request urged Essex to visit the king in his camp in person in order to concert plans for the campaign. Essex, already weary of inaction and believing the journey necessary, left his foot-troops in camp near Dieppe, took his cavalry, and on the 14th of August galloped across country a hundred miles to meet Henry. It was a hot and dusty journey. Although it was midsummer they were forced to ride most of the way with all their armor on for fear of ambuscade by the enemy. The Leaguers held most of the country through which they were passing, and viewed their party from the hill tops as they passed. To many of the English it was the first experience of a country devastated by successive captures and ravagings, "the tokens of the lamentable warrs." It was five days before they reached Picardy and the neighborhood of the king. The first interview of the earl with Henry was characteristic. A citizen of Compiègne, where the meeting

took place, has left a description of his entrance into that city preceded by six pages on horseback in orange-colored velvet trimmed with gold lace, he himself and his horse covered from the shoulders with the same orange velvet strewn with precious stones. Six trumpeters sounded before him, twelve squires rode after him, and he was followed by sixty English gentlemen. Henry, shabby but cordial, received him with delight, and summoned up enough English to cry to all those who followed Essex, "You are welcome." He kept his guest at Noyon three days, showed him all possible courtesy, had some serious talk with him about their plans and afterward wrote to the queen that he would always consider the day he met Essex as one of the happiest of his life. The evening before their departure the king, Essex and the French nobles had a jumping match, and the loyal English chronicler records that "our lord general did overleape them all." [1]

The serious side of the arrangements was less satisfactory. Henry was undoubtedly in a difficult position. He had urged the queen to send troops in haste to Normandy, probably without realizing the improbability that he could join them there immediately. Now he found himself unable to carry out what would be inferred to be his side of the bargain. There were on their way to France 5000 horse and 11,000 foot which Viscount Turenne had after long effort engaged in Saxony, Würtemberg and Anhalt, a body of troops which Henry considered indispensable for his future operations. These he must meet in person at the frontier if they were to be held together and brought further into the country. This would necessarily delay his appearance before Rouen for a month at least. If he had consulted his military judgment alone he would have preferred to carry the English forces with him to a junction of all his troops in the east of France; but the queen neither at this time nor afterward could be brought to agree to this, and he must perforce, though reluctantly and only after delay, yield to her wish

[1] *Journal of the Siege of Rouen*, Camden Society, 18; Cayet, *Chronologie Novenaire* (ed. 1824), xl, 284.

to restrict the joint English and French fighting to the north. The final understanding at Noyon was that Essex should return to his camp, that the siege of Pierrefonds should be given up, and that Marshal Biron with the bulk of the French forces should begin their march immediately toward Rouen, but that Henry should first proceed with a small body of cavalry to the eastern frontier, then return as soon as possible, bringing the Germans with him, to join Essex and Biron before Rouen.

This agreement seemed the best that could be obtained, so with it Essex and his little body of horse turned back toward their camp at Arques. He found his return not so easy as his coming had been. Villars, the League commander at Rouen, had learned of his movements and sent a considerable body of horse and foot to intercept him. Essex was obliged after reaching Gisors to turn to the southward, and with difficulty by some hard riding to cross the Seine at Vernon and reach Pont de l'Arche, a town held for the king. From here, on the advice of his companions and his French allies, he sent to Arques for his foot troops. After remaining at Pont de l'Arche for six days he heard of their arrival at Rea, the appointed rendezvous near Rouen, with a cornet of horse sent along with them by the governor of Dieppe. After some risky manœuvering the two bodies united and Essex was then at liberty to retrace his steps without danger of molestation. He could not however withstand the temptation to make a "bravado" under the walls of Rouen as he passed near it. In the petty skirmish fought there one of the only two Englishmen killed was, to the deep sorrow of Essex, Walter Devereux, his only brother. The army reached its original camping place at Arques September 10th, more than three weeks after the departure of Essex and the cavalry, instead of six days as originally expected. Many of the officers and men, the general included, were suffering from malaria.[1]

[1] *Union Correspondence*, 53, 56, 70, 87; Devereux, i, 225; *Cal. Hatfield House MSS.*, iv, 139; *Lettres Missives*, iii, 832–9; *Journal of the Siege of Rouen*, *Eng. Hist. Rev.*, xvii, 530; *Memoirs of Robert Carey*, 27–31.

But the worst of the misfortunes of Essex was the rising tide of the queen's discontent. She watched "almoste hourlie" for letters from him, but he only wrote to her four times in the first two weeks of his absence, and still more infrequently later. The passage of messengers was difficult, and such letters as were sent reached her late and irregularly. She travelled down from Nonesuch to Portsmouth thinking that Essex and perhaps even Henry might come across the channel to visit her, but neither of them knew that she was near the coast till some weeks afterward. When she heard of Essex's visit to the king she wrote him her strong disapproval. He ought not to have departed from Normandy without special license from her; he had left the main part of his forces without a proper commander; he had separated his army into two parts; he had risked his own life; he had exposed his troops purposelessly before Rouen. Henry's determination to go to Champagne to join with the German *reiters* before coming in person to the siege of Rouen was equally distasteful to her. She wanted the siege to begin immediately, that no day should elapse in which her soldiers should be drawing pay and yet not serving for the only point in the campaign that she interested herself in. Henry's request that Essex be allowed to join him in a campaign against his enemies in Champagne and Lorraine before entering upon the siege of Rouen stirred her wrath afresh.

Even the commencement of warlike operations took a form that she disapproved of. September 12th, two days after the return of Essex to Arques, word came from Marshal Biron that he had come as far as Gournay, but that he thought it necessary to capture this town before besieging Rouen. After a few days' interchange of discussions, Essex, his counsellors, and the ambassador decided, though with some trepidation, that it was safe to stretch the queen's orders so far as to participate in the siege, and on the seventeenth the army broke up its camp at Arques and took its place outside the gates of Gournay. When Elizabeth heard that the English troops were taking part in this preliminary siege, Essex him-

self at the assault "trailing of a pike like any common soldier," she wrote expressing her strong displeasure at the news. When the French decided that still another town, Caudebec, must be captured before it was safe to attack Rouen, the queen worked herself up into a belief that the king was deliberately mocking her, and that she had been treated with the grossest neglect and indignity. She wrote an angry rebuke to Unton for going to seek an interview with the king at Louviers, declaring that Henry ought to be treated with severity for his failure to keep his promise, not with the honor of being sought for by her ambassador. Although Henry in successive letters and through his ambassadors explained that military necessities frequently required change of plans, and assured her that he was following her wishes as far as was in any way possible, she was so violent in her complaints that the French ambassador prudently stayed away from court, this abstention giving her in turn new umbrage. All through August and much of September she was in constant ill-temper and sent personally and through the privy council, repeated and angry letters to Henry, Essex, Unton and the principal officers of the expedition. The news from Brittany was bad, and she was disappointed and angry that Henry had not given better support to her troops there. She knew, of course, nothing of the military and but little of the political requirements of the situation, and was, as usual, judging the whole operation from a personal point of view, in which the absence of her favorite from court was the principal feature.[1]

By the middle of September she had fully determined to call back Essex and his forces at the expiration of the two months which had been set as the minimum time of their service. Orders to this effect were actually sent to the various parties concerned. The only concession she would

[1] Burghley to Unton, Aug. 18th, Elizabeth to Henry, same date, to Unton, Aug. 22, to Leighton and Killigrew, Sept. 2, the Council to Essex, Sept. 15, Burghley to Unton, Sept. 20, Elizabeth to Unton, Sept. 25, *Unton Correspondence*, 35, 39, 41, 43, 55, 72, 85, 94; *Lettres Missives*, iii, 832–9.

make was that if the king would give full proof of his ability and intention himself to pay the weekly wages of the troops and would use them only for the capture of Rouen and Havre, she would allow a part of them to remain a month or forty days longer under Sir Thomas Leighton. She threatened to withdraw the troops from Brittany at the same time. September 24, 1591, a public declaration of her reasons for the withdrawal of her forces was issued.[1]

But the storm gradually subsided. Elizabeth's counsellors and officials, both in France and England, tried as far as they dared to dissuade her from precipitate action. Essex sent to the queen and the council a series of manly and outspoken letters, protesting against their misjudgment of his actions and the queen's determination to humiliate him by a recall before any service done. As a protest against the denial to him of an opportunity to lead his men where they might hope for distinction, on the eighth of October he drew all his troops out in sight of Rouen, commanded the gentlemen to alight, and proceeded to knight twenty-four of them, a lavish grant of honors which was criticised by the queen and ministers and ridiculed by the populace at home. Gournay surrendered on the 26th of September and Caudebec on the 18th of October, and on the 23rd of October it was reported that Henry was himself at last marching towards Normandy with his German mercenaries. Elizabeth herself shrank from what would seem a betrayal of the common cause by the withdrawal of her troops at this juncture. Before the day announced for their return therefore Essex received letters from the queen and council permitting him to remain in France with his army for the month of October, although as before they were restricted in their movements to the siege of Rouen and Havre and their wages were to be paid directly by the French king. Subsequently permission was given for a still further continuance of the troops in the field. The queen's better disposition was confirmed by a hasty visit to England made by Essex, at her immediate

[1] *Unton Correspondence*, 88.

command, early in October. He found her at Oatlands, stayed for a few days, and was back again in Dieppe on October 17th.[1]

The army of Essex had now been in France for ten weeks, and except for its rescue of its commander and his party on their return from Noyon, and the help given to Marshal Biron in the siege of Gournay it had seen no active service. It is true it had taken part in some skirmishing before Rouen immediately after the surrender of Gournay. A plan for a surprise was made and after long dispute dice were thrown first to decide which regiment, then which company should head the column of attack. "It was a world to see how men that were before dull with daunts, sickness and discontentation pulled up their harts," when there was some fighting to be done. But it was soon over with, for the time at least; the army went into camp again at Arques, and even when Biron asked for five hundred men to help besiege Caudebec, Leighton, Essex being then in England, thought it safer to refuse. The army was already much depleted in numbers and weakened in character. Deaths from disease and accident, desertions and the return of gentlemen volunteers to England had been constant. English soldiers died of fever in the streets of Dieppe. Seven hundred sick were sent home at one time, eight hundred at another, two hundred at still another. At a review late in October but two thousand men were well enough to appear. There was also much disorder. The troops were now nominally in the direct pay of the king of France, but they received little money, and the supplies provided by the French officials were irregular and inadequate. There was doubtless much point in the statement of one of the captains that "much more contented would we be in the paie of the blessed quene." The soldiers were demoralized by their long inaction and irregular pay. They foraged recklessly in Arques and through the sur-

[1] Essex to the Queen, Sept. 12, Devereux i, 235, 241, 244–5; *Cal. Hatfield House MSS.* iv, 139, 143, 145; *Union Correspondence*, 76, 82, 96, 101, 105; *Memoirs of Robert Carey*, 32–41; *Journal of the Siege of Rouen*, 27, 31.

rounding country. They burned cottages, pillaged houses of the gentry and desecrated churches. The French governor of Dieppe complained bitterly of their excesses and appealed to Essex to enforce stenner discipline. There were even quarrels and bloodshed within the English camp itself.[1]

Discipline as well as reinforcements seemed absolutely necessary if the troops were to be of any use when Rouen was finally besieged. An effort was therefore made to enforce order more strictly, and the English general and the French king united in a further appeal to the queen for troops. On the 23rd of October Essex wrote to Burghley stating that there were but fifteen hundred able-bodied troops left and suggesting that one thousand new men should be made ready to be sent over on the king's arrival before Rouen. The king also despatched a new appeal for additional troops, pioneers, ammunition and vessels. Essex, the day after his return from England, sent Sir Roger Williams to Henry and on his return ten days afterward sent him to England, so that he might declare from his own observations as well as by his instructions the needs of the English army and the desperate state of the king's finances and arms.

As a matter of fact Henry's affairs at this time, two years after his accession, seemed at the lowest possible ebb. When joined by the English ambassador as he was slowly moving toward Rouen, and pressed to declare what probability there was that he would be able to pay the English troops, he confessed that he had not five hundred crowns in his treasury. His treasurer acknowledged that the royal income was scarcely sufficient to pay the few garrison troops, leaving the expenses of the army in the field and of his troops drawn from Germany, Switzerland, Scotland and England to be paid either from the plunder or composition money of captured cities. Unton writes, "The state of France is most miserable and lamentable, and the necessities of the poore Kinge such as he is forced to give over his tables in coste; and in a manner him-

[1] *Cal. Hatfield House MSS.*, iv, 147–152, 154, 155; *Journal of the Siege of Rouen*, 29–31.

self wanteth breadd to eate. If I were not an eywitness herof I could not believe it. . . . He is a Kinge without a crown and hee maketh warrs without money." Most of the king's French adherents were fighting as volunteers, at their own cost, under their own leaders, or under such governors as Henry had appointed in the various provinces of France. His own army was now principally made up of the Germans, who had only been paid for one of the three months that had elapsed since they had entered France, and were sullen, mutinous and untrustworthy. They were also badly armed and attired. One of the English officers says that the English bands, miserable as they were, were "gallant in comparison of them." Unton writes "The Kinge is followed altogether by strangers, without any number of French, who mutyne daily for wante of paie, and burne most villages where they lodge, to the great discontentment of the Kinge and greife of his good subjects, which they doe very despitefully." [1]

Henry himself almost lost heart. One night after eleven o'clock he came to the English ambassador's lodgings and stayed for more than an hour pouring out to him and Sir Roger Williams his despairing views of the condition of his affairs. He deplored the untrustworthiness of his French troops and the dubious attitude of the half-mutinous German mercenaries. Neither French nor Germans would do active fighting, and even the Swiss would not attack a breach, and were useful only for guard duty. He declared if he were killed he wanted to be buried between an Englishman and a Switzer. He was weary of himself, and if the queen abandoned him he wished that death might finish his misery. The king was beginning to feel that his position and policy were hopeless. He was constantly being urged to change his faith; he knew that a number of the cities and nobles that had taken his side, and even several members of his council, were discontented that he remained a Huguenot, and were

[1] Unton to Hatton, Nov. 6, Dec. 26, 1591, *Unton Correspondence*, 128, 237; *Journal of the Siege of Rouen*, 51.

not giving him the military, pecuniary or moral support that he had felt he might expect.

In the midst of these desperate straits, however, Henry's winning personality still drew men's affections and confidence. The English ambassador was not an enthusiast; Henry in fact thought him not a very favorable advocate of his cause. Yet he testified of the king in one of his reports at this time that "he is a most noble, brave King; of great patience and magnanymitie; not ceremonious, affable, familiar, and only followed for his treu vallour; but very much hated for his religion, and threatened by the Catholiques to forsake him if he converte not." All who came in contact with him felt his charm. Many Englishmen who had never known him and who looked at his affairs with but little personal interest were none the less impressed with the bold fight he was making, and with the desirability of supporting his cause.[1]

Therefore when Sir Roger Williams arrived in England on the last day of October, and presented to the privy council the request of the king and the general for reinforcements, he had no difficulty in winning its approval. That of the queen was a different matter, and for a while no one ventured to stir her wrath by placing the matter before her. Yet the knowledge that Henry's army was so near revolt and dissolution, that Parma was preparing to enter France from the Netherlands with a new army for the assistance of the League, that additional Spanish troops were being prepared for Brittany; the probability of the complete domination of Spain in France, and in the background the constant menace of another Armada were such considerations as might well force Elizabeth to a policy of further support of the king. That part of the condition of affairs which had to do with the armies was placed in plain terms before her by Williams, and on November 15th he had the satisfaction of taking back news that she had consented to the despatch of 1000 veteran troops which should be withdrawn

[1] *Union Correspondence*, 189, 215, 239.

from the Netherlands and to the levy of 450 sappers and miners in Cornwall, all to be sent immediately to Normandy. These arrived in due time at Dieppe under the charge of Sir Edmund Yorke, the 400 pioneers and 50 miners from England about December 1st, the companies from the Netherlands, quietly withdrawn without consulting the estates, by way of Flushing, December 7th. But such reinforcements were less important than might at first appear. The difference between nominal and actual numbers is a constant characteristic of this period. There were supposed to be in this contingent from the Netherlands seven companies of 150 men each, making with their officers a total of 1100 men. By actual count there were 638. Indeed the whole English force in Normandy shortly afterward consisted of but 1089 soldiers and 198 officers.[1]

In the meantime the siege of Rouen had actually begun. The king, it is true, still delayed. More than two months had elapsed since the conference at Noyon; but it was certain now that he was approaching; the towns flanking Rouen had been captured; and there was no reason why the actual arrival of the king should be awaited. On the 27th of October therefore the English army left its camp at Arques, met the French at Cally, and on the 29th Biron and Essex occupied the suburbs of the city. The English occupied the village of Mont de Malade, a little hill to the northwest of the city only a quarter of a mile from the town walls. Various detachments of the French and Swiss established themselves in other suburbs. In the skirmishing connected with the investment of the city, the English won much credit and received a letter of praise and acknowledgment from the queen. Two weeks later the king arrived and established himself between the town and the outlying fort of St. Katherine which he considered the most important point to capture. But the progress of the siege was disappointing.

[1] Devereux, 255, 256, 260, 263, 265; *Union Correspondence*, 129, 133, 140, 142, 143, 157, 175, 181, 183; Rymer, vol. vii, i, 77, 79, 82; *Cal. State Papers, Dom.*, 1591–4, 197.

Villars, governor of the town for the League, was a brave, skilful and energetic commander. He had made careful preparations and utilized the advantages of his position to the utmost. The city had been so well victualled that there was very little suffering until quite at the close of the siege, and not a single person died of famine. Many of the horses and cows had to be killed for lack of forage, but these served for a while at least as food for the populace. The allied army carried on vigorously the work of trenching and bombarded the defences of the city from several points, but they were not strong enough to overcome its defenders. Their marksmanship does not seem to have been of the best, as a French officer who was in the town at the time testifies that more than four thousand musket and arquebus shots were discharged at the fort of St. Katherine in one day without a single one of the inhabitants being killed or wounded.[1] Even when some English and Dutch boats made their way up the Seine with men and munitions nothing more was accomplished. Week after week, and indeed month after month, passed away in a constant series of petty skirmishes, sorties and attempts at ambuscades. Occasionally a few men were killed on one side or the other, occasionally an unusually furious sortie was made, and the trenches were gradually pushed closer and closer to the city walls. The earl, the marshal and the king met almost daily for conference or companionship, and the monotony was varied by occasional dinner or hunting parties. Captain Coningsby, who has left us his journal of the siege, showed still more enterprise in seeking amusement. "This afternoone, to drive awaie idleness, I went to a monasterie of nonnes, about a league and a half from our quarters, where we so behaved ourselves that we receyved very kynd wellcomes, and a banckett of twenty-one severall dishes of preserved fruits, . . . and so, having spente two or three howres there, returned home to our strawe bed." But usually the occupations were guarding, foraging,

[1] G. Valdori, *Discours du Siège de la ville de Rouen*, Rouen, 1592, 143, 145, 146.

entrenching and fighting, and the relaxations watching a skirmish "handled verie soldior-lyke on both sides," or "the beste fighte that I sawe betwixt them since our arryvall, for there were blowes both with the sword and pystoll, blood on both sides, horses slayne, and one of our French taken prisoner," or "many a horse well spurred, and many a sword jollyly glystering in the sunn on both sides," or seeing the king ride down from a hill top into the midst of a mêlée "like god Mars his thunderbolt."[1] These skirmishes used up men, camp fever broke out, and there was some friction between the various nations in the allied quarters. The German auxiliaries were still unpaid and it required skilful encouragement from both the English and the French officers, and two personal letters from the queen to the prince of Anhalt, their commander, to induce them to continue any longer with Henry.

Late in November, after the siege had been in progress about a month, a message came from England that sent the general homeward for a second hasty visit to the queen. It was the anticipation and desire of others beside the queen that he would not return to France. He had won the admiration and affection of his followers by his constant activity, his bravery and his amiable manner, but it cannot be said that he had shown any special gifts of generalship. Moreover, the campaign of 1591 was practically over. The siege was dragging on with small prospect of success, Leighton and Killigrew as well as Essex were absent from the army, the approach of Parma's army so long threatened would certainly not be long delayed, and the most that could be hoped was that Henry's army should be held together till his enemies were wearied out and the resistance to him gradually extinguished. Such fiery spirits as Essex and such optimistic souls as Henry himself still hoped that the goddess of chance might throw some great opportunity or happy success in their way; but to more conservative men, even those who cared most for Essex, he seemed to be doing both himself and

[1] *Journal of the Siege of Rouen*, 1591, 31–65.

the king an injury. By his chivalrous sympathy he was misleading Henry into the mistaken belief that Elizabeth would do something more for him, and at the same time diminishing his own fair credit and reputation by the leadership of such a forlorn hope. But Essex had given his promise to Henry to return, he felt that his honor forbade him to desert the siege while the duke of Parma was approaching, so he pleaded successfully with the queen for permission to rejoin his troops. On the 10th of December therefore he was again at Dieppe and on the 14th in the camp before Rouen.[1]

In accordance with the strict instructions of the queen, Essex proceeded reluctantly to reorganize his little army on a smaller scale. The number of men in each company was reduced from one hundred and fifty to one hundred, and only as many companies were retained as could be made full in this proportion, the others being abolished and their captains cashiered. This process left but eight companies, numbering with their officers less than a thousand men, out of the whole original force of twenty-five companies and their reinforcements. Henry still sent appeals to the queen directly and through both Unton and Essex for five thousand or more new men to help him continue the siege and withstand Parma when he should arrive, but the ambassador declined to transmit any more such requests, and Essex simply mentioned them in his letters without anticipation of a favorable reply. In January Duplessis was sent from Henry to the queen on a special mission for the same purpose. But sharp refusals and angry reproaches were the only replies from the queen to letters and personal solicitations alike and January 2nd, she issued a public declaration giving her reasons for refusing to send any more troops to France and protesting against the pressure being brought on her to do so.[2]

[1] Rymer, vol. vii, i, 73–4, 77–9; *Unton Correspondence*, 165, 186, 194.

[2] Instructions to Essex, *Acts of the Privy Council*, xxii, 98–103; Essex to Burghley, Dec. 26, to Cecil, Dec. 29, 1591, Devereux, 269, 272; *Unton Correspondence*, 235, 238, 246, 249; Rymer, vol. vii, i, 86; *Lansdowne MSS.*, ciii, fo. 112.

Even Essex at last realized that there was no hope of actual victory; and although he and his little group of men still took part gallantly in the skirmishing in the trenches and around the walls of Rouen, they realized that it was rather in defence of honor and protraction of time than in anticipation of success. As he had done in Portugal, Essex tried to transform a modern war into a medieval tournament. He offered to fight with Villars, the governor of Rouen, singly or with twenty or with sixty men on each side, for the maintenance of the claim, "That the king's quarrel is juster than the League's, that I am a better man than yourself, and that my mistress is fairer than yours." Unfortunately the days of chivalry were over, these three dubious questions could hardly be settled in single combat, and it is not at all certain that a settlement of any or all of them would have contributed largely to bringing the war to an end. Essex obtained no more satisfaction than a rebuff from Villars and a scolding from the queen. It is only fair to Essex, however, to say that somewhat less formal challenging across the narrow strip between the trenches before Rouen and the walls was a common occurrence, and the frequent conflicts not to be very clearly distinguished from duels.[1]

A letter from a group of the privy councillors, on the 19th of December, urged Essex for his own credit to return from what was now such an unworthy command. A somewhat sarcastic letter from the queen on the 23rd ordered him to send home any remaining "gentlemen of good quality dear to their parents and their blood," and gave him permission either to remain as long as one man was left or to return as soon as his own judgment was good enough to show him its wisdom. All his best friends urged his recall. Henry himself, at Unton's request, advised Essex to withdraw. The queen finally sent a personal letter to him with peremptory orders to return, but enclosed it in despatches from Cecil to Unton, with orders to the ambassador not to deliver

[1] *Journal of the Siege of Rouen*, 38; *Cal. Hatfield House MSS.*, iv, 161; Camden (ed. 1688), 463.

it if the earl should make an early decision to return voluntarily. Essex, however, was present when Unton opened the packet, and seeing a letter addressed to himself snatched it away, and opened and read it before Unton could stop him. He had now no choice and on the 8th of January, 1592, after a hasty visit to the king in his camp, and a protest against leaving when a battle was in prospect, handed over his command to Sir Roger Williams, kissed his sword as he sailed out of the harbor of Dieppe, and returned discontented to England. He resumed his attendance at court January 15th, and turned his restless mind for the time from military to diplomatic ambitions. It was six weeks later that Norris returned from Brittany.[1]

[1] Certain Councillors to Essex, Dec. 19, The Queen to Essex, Dec. 23, 24, 1591, Unton to Cecil, Jan. 10, Cecil to Unton, Jan. 19, 1592, *Unton Correspondence*, 111, 230, 251, 263, 276, 294; Devereux, i, 230, 267, 274; *Cal. Hatfield House MSS.*, iv, 166; *Lettres Missives*, iii, 552.

CHAPTER XIV

THE BRITTANY AND NETHERLANDS CAMPAIGNS OF 1592–5

THREE alternatives were now before the queen; to withdraw her two little armies, sadly decayed as they were, from France; to combine them into one force for the protection of either Brittany or Normandy; or, finally, in accordance with the continued urgency of Henry and most of her councillors, to reinforce them. It was the last to which she inclined, though not without the usual hesitation, irresolution and delay. Now that her favorite was at home she was more willing to add to the forces abroad. Essex and the French ambassador were both able to write to Henry that the queen had assured them of her intention to despatch one or two thousand men to Normandy immediately. In fact the orders for their levy were actually made out; but the queen refused to sign them. In March she sent Sir Thomas Wilkes over to Henry's camp with instructions to make secret inquiries as to the likelihood of the king's ultimate success and the sincerity of his promises. Elizabeth feared that he might at any time make a peace with his rebellious subjects or with the king of Spain adverse to her interests. Even after Wilkes' report she remained in suspense. A plan momentarily won favor for sending Sir Roger Williams, with the troops now lying at Rouen, overland to Brittany. Plans for sending Sir John Norris back with strengthened forces and new instructions were also considered.[1]

After some weeks of hesitation, however, reinforcements were sent to both armies. A handful of men were despatched to Brittany, and twelve companies, making up some 1600

[1] *Union Correspondence*, 320; *Cal. State Papers, Dom.*, 1591–4, 219, 399; Rymer, vol. vii, i, 89.

men, arrived at Dieppe under Sir Edmund Yorke, an officer who had been in France before and had made a reputation for his skill in fortification. On the 27th of March, 1592, they joined the little remnant of their countrymen and the king's forces before Rouen. But they were too late. Even this addition to Henry's forces, and a body of Dutch troops which arrived under Count Maurice of Nassau on the 10th of April, could not hold the position before Rouen against external attack. The duke of Parma with an army of 12,000 foot and 4000 horse, pressing steadily if slowly on, arrived early in April within four leagues of the city. On the 10th a sudden advance by this relieving force on the French king and his allies in their camp and a wild night of fighting in the entrenchments broke up the siege of Rouen which had now endured more than six months and which had cost so much labor, sacrifice and heart-burning. Henry was not able to prevent Parma from entering the city and providing it with supplies and fresh defenders. Nor had the king force enough both to meet Parma in the field and at the same time to keep up his investment of the city. He therefore reluctantly raised the siege, formed his troops, including the English, into a movable army and began the pursuit of Parma's army, which had departed as soon as it had revictualled Rouen and disorganized the siege. Parma marched some distance to the west and recaptured Caudebec and some smaller towns, but his work was accomplished, and as his army was in no condition to remain in France he almost immediately began his retreat.[1]

In the skirmishes at the raising of the siege, in the battle of Yvetot which followed, and in the fighting of the next few weeks, in which the army of Parma, weakened by famine, disease and contention, was gradually driven by Henry back into Flanders, the English troops were actively engaged.

[1] *Acts of the Privy Council*, xxii, 256, 273–9, 318, 327, 419, xxiii, 66–70; *Union Correspondence*, 319, 323, 337, 374, 379, 387, 390, 407; *Cal. State Papers, Dom.*, 1591–4, 188, 193, 201, 206, 213, 214; D'Aubigné, viii, 256–269.

They were also rapidly worn away. Some were allowed by their captains to leave the army. The old disgrace of desertion asserted itself anew, but few of the deserters reached home. Now that the army was further from the coast such deserters formed themselves into bands sometimes of as many as twenty or thirty, and in the effort to make their way to England were frequently overtaken by the enemy or the French peasants and had their throats cut to a man. By May the English bands were reduced to eight hundred, and these were in bad condition. By order of the queen they were again reformed, nineteen broken companies giving place to eight full ones. An effort was made again to reinforce them by detaching two thousand men from the English garrison in the Low Countries, but this plan met with such determined resistance there that it was given up. Again it was proposed to send them overland to join the force in Brittany, but this plan also was abandoned. Sir Edmund Yorke, from whom much was hoped as a colleague of Williams, unfortunately died in May, soon after his arrival in France.

On the twelfth of June, 1592, the remnant of the English troops were given permission by the king to return to Dieppe for a rest of twenty days, and their commander, Sir Roger Williams, went on a visit to England. At about the same time Sir Henry Unton, the ambassador who had gone over to France with Essex in August, 1591, whose tact and endurance had been so sorely tried during the last ten months, and whose voluminous correspondence throws such a clear light on the events of that period, was given permission to return to England, which he reached on the 17th of June. The second expedition to Normandy, like the expedition to Brittany, was evidently a thing of the past, though the little body of troops still lay encamped at Dieppe, and even occasionally gave some help to the king in his fighting.[1]

The few troops which had been sent to the support of the

[1] *Unton Correspondence*, 413, 417, 419, 424, 428, 434, 447, 455, 457, 470, 471; *Acts of the Privy Council*, xxii, 431, 448, 452, 476, 478; *Cal. State Papers, Dom.*, 1591–4, 211; *Cal. Hatfield House MSS.*, iv, 549; *Lettres Missives*, iii, 623.

remnant of last year's army in Brittany were unable to save them from even a more serious disaster. As the spring of 1592 opened, the princes of Dombes and Conty with their own troops, the English contingent, numbering perhaps a thousand men, and six hundred Germans, who had joined them recently, left camp and laid siege to the little city of Craon on the borderland between Brittany and Maine. They had scarcely been there a week when they received news of the approach of the combined Spanish and League forces under the duke of Mercœur, amounting altogether to about six thousand men. Distrusting their strength the commanders decided to raise the siege. As they were withdrawing, with some disregard of military precautions, they were suddenly attacked by Mercœur with his far superior forces, cut to pieces and scattered, with the loss of all their artillery and camp equipment. The English and Germans were evidently in the place of greatest risk, for their losses amounted to some nine hundred men while the French troops of the two princes lost but two hundred. Even after the battle they suffered more severely, for the French soldiers of the defeated party escaped readily in the adjacent towns while the foreigners had no place of refuge. The catastrophe occurred on the tenth of May, the news reached England on the twentieth and on the thirty-first Sir Henry Norris was sent by the council post haste to France with money, supplies, a small body of foot-soldiers and letters of credence to French governors, to seek and if possible give some succor to the scattered English troops. Elizabeth wrote to the king a vigorous letter of protest against the practice of putting the English in the most exposed places and leaving them so ill-supported. She had written already repeatedly complaining of Henry's neglect to send adequate numbers of troops to his commanders in the north and west with whom her troops were serving. The disaster before Craon seemed to strain relations again almost to the breaking point.[1]

[1] Unton to Burghley and Burghley to Unton, May 24, 1592, *Unton Correspondence*, 450, 460, 465, 467; Henry to . . ., *Lettres Missives*, iii, 638,

But Elizabeth no less than Henry recognized that the danger from Spain was increasing rather than decreasing. There had long been rumors of a new armada to be directed against England in the summer of 1592. The necessity of husbanding resources for such a crisis had been frequently given as an excuse by the queen for limiting money loans to her allies; the need of internal unity of religion in case of this prospective invasion was given as a reason for the activity against the recusants in October, 1591. August, 1591, Burghley learned through a spy that the king of Spain had sent an emissary to bribe M. de la Chatte, governor of Dieppe, to go over to the League, so that he might have the use of that port for the undertaking against England. Hostile naval preparations were said to be in progress in Spain, Portugal, and the Hanse towns. There was a general belief in Europe that the strained relations between England and Denmark had led to a secret alliance between the latter country and Spain. A Portuguese captive told how the enemies of the queen were hoping soon to drag her by her hair through the streets of London. In May, 1592, a Spaniard captured in England acknowledged himself a spy and declared his intention of telling all he knew about his master's plans against England. According to his story a great armada was already preparing in the ports of Spain; twenty-six ships had gone to Brittany with money and ammunition, and 15,000 men were being embarked in Spain for Brittany and Ireland.[1]

If all or any considerable part of these reports were true it behooved England to retain such footing as she already possessed in France, and to meet Henry's advances half way. This was especially true of Brittany, where the Spaniards were already established. Burghley wrote "I had rather both Paris and Rouen were left unrecovered than to have Britayn lost." In June Henry sent a special ambassa-

640, 840; *Cal. Hatfield House MSS.*, iv, 202; *Acts of the Privy Council*, xxii, 502; Cayet (ed. 1824), xli, 65–70; D'Aubigné, Livre xiii, c. 19 (ed. De Ruble), *Soc. de l'Hist. de France*, viii, 190–296.

[1] *Cal. State Papers, Dom.*, 1591–4, 82–94, 101.

dor, de Sancy, to England to present an appeal for additional help. His demand this time was for 6000 foot troops to reconstitute the army in Brittany and for 1200 more to bring that in Normandy up to numbers that would make it effective. Elizabeth was not averse to reinforcing the troops in Brittany, at least, although it was not likely that she would agree to so large a body, or that she would refrain from demanding full compensation.

A series of conferences were held between the two French ambassadors and Burghley, Howard, Hunsdon and Buckhurst on the 26th, 28th and 30th of June. In the negotiations the first condition insisted on by the English councillors was that the king should hand over to the queen Brest or St. Malo, or such other port in Brittany as she should demand, for a town and harbor of refuge. When the news of the scattering of the English forces before Craon had come, the occasion had been immediately recognized as an opportunity to press with greater hope of success this old request, although it can hardly be said that a port of refuge would have been of any direct and immediate use after that defeat. This demand was now yielded to by the French ambassadors with unexpected readiness and became a part of the new treaty, which was signed at Greenwich on the last day of June, 1592. The agreement provided for a fourth expedition in Henry's support, to consist of 4000 men, who were to be largely veterans from the Low Countries. Henry agreed not to make a separate peace with Spain, nor to make peace with his rebellious subjects without requiring them to assist in expelling the Spaniards, or at least to refrain from giving any aid to them; and to keep at least 4000 troops in Brittany, so that there might be some reasonable hope of expelling rebels and Spaniards from that province and placing it peacefully in possession of the king. The king, or his ambassadors for him, definitely agreed to hand over to the queen for the use of the English ships and troops such port and walled town in Brittany as the queen or her general should demand, if the king should have it in his

power to do so. It should be under an English governor, who should receive all the king's income from taxes there and apply it to the repayment of Elizabeth's advances. The queen on the other hand agreed to return this town as soon as her debts were paid. The English promised to send cannon and other munitions from Dieppe. Sir John Norris was to continue in command of this as of the former expedition.[1]

During these negotiations Marshal Biron had written to Elizabeth stating that the king had ordered him to take charge of the royalist forces in Brittany and that he was about to go there, though somewhat reluctantly on account of his age; he hoped the queen would provide the men and money necessary for a successful campaign. By the time the treaty was signed, however, Marshal Biron had been killed by a cannon-ball at Chateau Thierry and the prince of Dombes, now become duke of Montpensier by the death of his father at about the same time as Biron, had been made governor both of Normandy and of Brittany. Later in the year he sent a gentleman, M. de Paille, over to explain to the privy council the condition of affairs, his anticipations and the preparations for the reception of the queen's forces. De Paille gave an optimistic, not to say boastful report of recent royalist successes, at Briesaint, Dinan and Maletroit, declared that St. Luc had already started from the south and that Marshal D'Aumont would soon arrive with his army and the nobility of Poitou and Anjou. Mercœur was discouraged and it only needed the immediate presence of Norris with his troops, cannon and munitions for a triumphant campaign. Arrangements had been made for the disembarkation of Norris on the island of Bréhac, lately recaptured, for the storage of the munitions of war in the neighboring chateau of Tronqueder and the refreshment of the troops at Morlaix and Lanion. He made no hesitation in promising

[1] *Acts of the Privy Council*, xxii, 594; Rymer, vol. vii, i, 78, 80, 87, 94; *Cal. State Papers, Dom.*, 1591–4, 87, 222; *Union Correspondence*, 463, 467; *State Papers, Foreign, Treaty Papers, France*, 1579–94.

that Morlaix would be handed over to Norris, to be fortified and retained as a harbor and town of refuge, as so often demanded by the English. Special point was given to this offer of Morlaix by the prevalent belief that it had been promised in the same way by Mercœur to the Spaniards, and by the fact that although its citizens were holding it in martial independence, its location at the head of a long defile, two miles from the sea, made it especially easy of capture if attacked from the surrounding hills with an adequate force. The choice of lower Brittany as the field of immediate operations completed the acceptation by the French governor of all Norris' old propositions, and the queen, council and general were all appealed to to hasten the levy and departure of the troops. So far as verbal agreements could go all that the English queen could ask was promised.[1]

Arrangements for the gathering of the troops were entered upon promptly in July. Conciliatory but positive letters were sent to the Netherlands ordering the preparation of the troops promised from thence. Sir Francis Vere was assured of the queen's regret for the necessity of depriving him of his troops then in the field. She expressed her high estimate of the value of his services and informed him that it was only the peculiar knowledge of conditions in Brittany possessed by Sir John Norris and the special wish expressed by the French leaders for his presence that induced her to separate Sir Francis from his troops instead of giving him their command in France.[2]

Notwithstanding the promptitude with which the agreement had been reached and the first steps toward carrying it out had been taken, the whole remainder of the year 1592 was consumed in completing the preparations. Men had come to dread service in France and popular sentiment had turned against it. "I assure you the Realm here is wearie to see the Expense of theare People for forein services," is

[1] Rymer, vol. vii, i, 55, 90–1; *Lettres Missives*, iii, 645; *State Papers, Foreign, Treaty Papers, France*, 1579–94.

[2] *Acts of the Privy Council*, xxii, 594, xxiii, 1–6, 14, 44.

the testimony of Burghley. The privy council speaks of the "infinite and great murmeringe of the English nation at home, being thereby dayly more and more unwilling to suffer any of their Neighbours or Frends to yeald willingly, as in the beginning they did, to go unto France." This was due principally to the poor support and slight recognition given to the soldiers by the government. Forced into the service, chosen from the unemployed and untrained, sent reluctantly and supported half-heartedly, it is no wonder that service abroad seemed to the people a hateful oppression. Of the three successive armies and their reinforcements that had left England only a few thousands, mostly sick and wounded, had made their way painfully home again, ill-rewarded and unappreciated. Now that a fourth expedition was to be sent soldiers went to all lengths of excuse and desertion rather than serve. In London men flocked to the Blackfriars, Whitefriars and other places exempt from the jurisdiction of the mayor to avoid the draft, although at the same time or soon afterward there were said to be thirty thousand idle and masterless men in the city.[1]

The authorities were forced to accept the lowest elements of the population for the army. In Oxfordshire and Berkshire the judges were ordered to release certain prisoners lying untried in the jails in order that they might be taken to serve oversea. Captains were allowed to take up as volunteers men of a lower grade than the lords lieutenant or their deputies were willing to press into the service. Yet among those enlisted by the regular authorities we hear much of "verie unable and insufficient men." French immigrants were sent back to their own country in the English service. A Frenchman, Pierre Dubois of Artois, was made a captain and allowed to levy his troops from among the Walloons and other Low Country men in the vicinity of Canterbury. Later, permission was given for another levy of fifty or sixty men from among the French artisans in Norwich and Colchester. These were willing recruits, if they were for-

[1] *Manningham's Diary*, Camden Society, 73.

eigners. Many native recruits who were pressed into the service and "thrust under hatches like calves in a stall," ran away at the first opportunity after their enlistment, others while they were at the seaports awaiting transportation. Arrest and punishment of such deserters is constantly mentioned. At one time the names of sixty-four runaways were secured by the privy council and sent to the lords lieutenant of the counties from which they had come so that they might be apprehended and punished.[1]

The county authorities were neglectful of the proper equipment of the soldiers, whom they were supposed to send to the seaports fully clothed and armed for war. In order to prevent this neglect the privy council appointed three experienced military officers to examine the bands as they came to the coast. The reports of these commissioners show an absurd inadequacy of both numbers and preparation. From Bedford fourteen of the fifty were "verie evil apparelled and their coats verie bad cloth and unlined." Of the fifty from Cambridge one had run away, ten were incapable of serving, and most of the rest were "without doublets, hose, stockings, shirtes and shooes, their cassocks being also of verie bad cloth and unlined." Of the one hundred and fifty who should have come from Northamptonshire twenty-seven had run away and thirty-two were too weak and incompetent to be sent to the war. It is not hard to see where the originals of Shadow, Mouldy, Wart, Feeble and Bullcalf, who were so soon to appear on the stage, were found. "We have a number of Shadows to fill up the musterbook," was a truthful statement, if but a poor jest. Nor indeed were Falstaff and his swindling corporal a travesty. Captains were frequently charged with accepting bribes to permit soldiers to leave their companies. It was an old trouble against which laws had been passed in 1550 and 1557 and which appeared not infrequently for punishment in star chamber. They were

[1] *Acts of the Privy Council*, xxiii, 44, 151, 213, 223–6, 235, 239, 277, 310, xxiv, 62–7, 72, 77, 81, 129, 138; Rymer, vol. vii, i, 113–114; *Manningham's Diary*, 42, 43.

now warned anew against this offence, and their honor appealed to to avoid the disgrace to England of taking such imperfect bands to France. Drawn from such unpromising material and held in so many cases against their will, it is not a matter of wonder that the behavior of the troops was bad. While they lay at the seaports awaiting a fair wind there was so much desertion, disorder, disobedience and general confusion that Sir John Norris received a special letter from the queen with orders "for better observation of militarie discipline." Still more bitter complaints of their lawlessness were to come from France after their arrival there. All through the summer and fall months, postponements, procrastination and difficulties of enlistment and of the weather kept the troops still in England.[1]

At one time it seemed that this period of waiting would be compensated for by a determination on the queen's part to increase the levy of troops from 4000 to 5000, and to order the troops still under Sir Roger Williams in Normandy to Brittany, thus putting a really effective force under Norris' command. But she soon withdrew these orders, cancelled the additional levy, and left the troops with Williams in Normandy, diminished it is true by a certain part of their number, but only by sending them to the Netherlands, to replace some of those taken to Brittany. It was only on the strongest persuasion of the privy council that she was induced to allow 500 more men to be taken up to fill the imperfect bands of Norris. Finally, early in November, 1592, the troops with their general were shipped from England and soon afterwards landed in Brittany, where they had to await the arrival of the troops from the Netherlands, and as was then hoped, those from Normandy, before any military operations could be begun. Within two weeks of the same date 2000 more Spaniards, the third contingent,

[1] *Acts of the Privy Council*, xxiii, 1–6, 14, 310, 313, xxiv, 138; *Cal. State Papers, Dom.*, 1584–90, 642, 1591–4, 283, 315; *Lettres Missives*, iii, 850; 2 and 3 Ed. VI, chap. 2; 4 and 5 *Philip and Mary*, chap. 3; Hawarde, *Les Reportes del Cases in Camera Stellata*, 32–4.

were landed at Blavet, bringing their total numbers for the first time approximately to 5000 men.[1]

Difficulties of various kinds delayed the arrival of the Low Country troops. The officers in the Netherlands were as usual reluctant to have their troops taken away; the English soldiers who had been long in garrison there had in many cases married and did not want to leave their wives and children; no transport ships could be found to go to Brittany. But the council insisted on obedience to orders. Recalcitrant soldiers were threatened with immediate dismissal from the service with loss of their back pay, and the officers warned that the queen would allow no obstruction to her plans. Shipping was ordered to be sent from England to Flushing. But even when the troops were finally despatched sickness was so prevalent among them that the transports had to stop in the seaports of Kent to discharge such of their companies as were in danger of immediate death. Then they were overtaken by a severe storm and the vessels had to be taken into Portsmouth to be refitted and revictualled. It was not until January, 1593, that the Low Country contingent, or such part of it as was still left, arrived in Sir John Norris' camp in Brittany.[2]

By this time, if the plans for the campaign which had been agreed upon in June, 1592, had been carried out, a French army of at least 4000 foot and 1000 horse would have joined the English in Brittany; the king himself, or in his stead the veteran Marshal D'Aumont, would have taken command in that province, with the former French leaders as subordinates; the combined English and French army, outnumbering the Spanish and Leaguers, even if they had the 8000 foot and 800 horse which were claimed, would have, as it was hoped, regained the province, the seaboard towns would have been captured, and Morlaix or some other fortified town on the coast would have been handed over to the queen.

[1] Carné, *Correspondance*, i, 158–160.

[2] *Acts of the Privy Council*, xxiii, 299, 312, 347, 363, 378, xxiv, 1–5, 152–4.

The actual history of the campaign of 1593 was far different. As in Normandy in 1591, the king was not yet ready to come into Brittany; nor did D'Aumont arrive for many months. He was busy in Maine, Anjou and Normandy besieging towns which he claimed could not safely be left in the hands of the League during an extensive campaign in Brittany. St. Luc was still in Saintonge. Without them there was no possibility of capture of the Breton seaboard towns, and Morlaix was as far from English possession as ever. Norris, too weak to take the field alone, without occupation and without any city of retreat, was forced to yield to circumstances and go to the borders of Normandy and Maine to fight along with D'Aumont. As a result of this union La Guerche and Laval in Maine and Anjou were captured and the queen sent somewhat grudging congratulations to her troops on their success. At the same time she urged their return to Brittany and the undertaking of some warlike enterprise there. For Henry she had only anger and protest. Again he had broken his promises and failed in his engagements. Again he had avoided carrying on the war in accordance with her ideas, and in regions where the results might be immediately favorable to her interests.

Even when in April St. Luc arrived from the south and Norris was allowed to return to Brittany, the French and English together could barely hold their own against Mercœur, and a vigorous campaign was impracticable. The French troops that fought alongside of the English never amounted to more than 2400 foot and 600 horse, and most of the time were far below that number. The English army was being steadily depleted. Few of the companies, each of which should have numbered one hundred and fifty, contained more than fifty or sixty men. The total number fell to 2000, then still lower.[1] A number of the officers had been killed in the fighting in Anjou. Commands were sent over to reduce the organization of the little army from thirty-one to twenty-two companies, for the saving of expense. The

[1] A de Barthélemy, *Documents inédits sur la Ligue en Bretagne*, 149.

appeals of Henry for its reinforcement were scarcely more constant than the queen's threats of its entire revocation. She demanded in the meantime an addition to the king's offer of the ultimate occupation of a Breton town when it was captured. She wanted the right to take immediate possession of Paimpol and the Isle of Bréhac, to extend the limits of the former, to put a wall around it, and to establish in it a magazine of food and munitions and cause the inhabitants to take their oath to her. But when Paimpol was recaptured by the League, making it obviously impossible for the king to grant this, and Norris sent over a request for five hundred or six hundred additional men for an expedition for its recovery the queen refused them. Thus the spring and early summer of 1593 passed with nothing accomplished in Brittany, except perhaps the limitation of Spanish and League conquests.[1]

In the meantime the fragment of the army of Essex left at Dieppe had been treated successively as a detachment of the army of Norris on its way to join him in Brittany, and as the nucleus of a new army to be constructed in Normandy under Williams. In February it was reinforced by about a thousand men, who after committing various excesses in the vicinity of St. Valéry were taken by Williams with the rest of his troops, in all about 1500 men, to join young Marshal Biron in the third siege of Paris. In June and July arrangements were being made to send still further reinforcements to Normandy, and possibly to Brittany, when reports from France put a sudden stop to all such projects and instead brought a hasty summons for the return of all English troops. This was the news of the king's conversion.[2]

Convinced by four years of struggle of the futility of his

[1] Camden (ed. 1688), 464, 473; *Cal. State Papers, Dom.*, 1591–4, 311, 347; *Acts of the Privy Council*, xxiv, 58, 152–4, 196, 203, 236, 239–43; *Lettres Missives*, iii, 850.

[2] *Cal. State Papers, Dom.*, 1591–4, 335, 343, 347, 358–69; *Acts of the Privy Council*, xxiv, 401–2, 410–12, 416, 419, 431; *Lettres Missives*, iii, 850.

effort to obtain his throne while still remaining a Protestant, and urged constantly since 1591 to change his religion, Henry had determined in the middle of the summer of 1593 to make good his coronation promise of receiving "instruction" in the Catholic faith, and to follow this up with an acceptance of the authority of the church. A rumor of this intention reached England, and in July Sir Thomas Wilkes was again sent over to Henry, as he had been a twelvemonth before, this time to remonstrate with him on his proposed conversion. He arrived too late. In May Henry had intimated his intention to some of his friends and asked various clergymen for "instruction." On the 15th of July in the old cathedral of St. Denis near Paris, in the midst of gorgeous ceremonial, the king proudly humbled himself, devoutly renounced most of what he really held sacred, and promised submissive obedience to his ecclesiastical subjects. He then attended the mass that was to gain Paris and became an orthodox as well as a legitimate king of France. Four days afterward, on the 19th of July, a general truce was signed between the king and the deputies of the League, to extend over all France and to last for three months. This was subsequently continued for successive periods to the close of the year 1593. Among the provisions of this truce was the requirement that the foreign allies of each party must either be withdrawn from the country or placed in garrison, and that their numbers must not be augmented during its continuance.[1]

Notwithstanding the conciliatory explanations which Henry gave Wilkes on his arrival, and the messages he sent through two successive special ambassadors to the queen, when the news reached Elizabeth she was deeply offended. A stiff letter from the council, writing in the name of the queen, to Norris, dated Oatlands, August 1st, sums up her long list of grievances against Henry, culminating in the recent armistice, and orders Norris to march immediately to the coast and prepare to bring his troops home. A similar letter to

[1] Cayet (ed. 1824), xli, 311–12, 468–70; Camden (ed. 1688), 474; Dumont, *Corps universel diplomatique*, Livre i, 502, 504.

Sir Roger Williams, dated August 4th, directs him also to return at once, bringing his sick and wounded, but leaving the rest of the troops temporarily in Dieppe. To soothe her personal feelings Elizabeth wrote with her own hand a letter of pained surprise to Henry, read much in the scriptures and the fathers, held long conversations with the archbishop and made a complete translation of Boethius' *De consolatione philosophiæ*.[1]

It might seem that English intervention in the civil wars of France was at an end. But Elizabeth's principal interest was not in the quarrel between Henry and his subjects, but in his quarrel with Spain, and in that respect their interests were still at one. Therefore although Williams returned to England, his eight companies, notwithstanding continual talk of their withdrawal, still remained in garrison in Normandy, and both Norris and his troops remained on the French side of the channel. The queen was not yet satisfied to accept her failure to get a French seaport, and used this new exigency to attempt to reach her old ends. In September, she sent to Henry an insistent demand that he hand over to her Hourdel at the mouth of the Somme, below St. Valéry, as a place to which to withdraw her troops and artillery from Dieppe. Henry protested that this place was altogether unsuited for the purpose, that it was surrounded by League towns and near the border of the Spanish Netherlands, that it could not be readily fortified, and that its occupation by the English would be looked upon with jealousy by his own partisans and considered by the League a breach of the truce. Later when the truce ran out, he offered if she would send 3,000 more troops to Normandy to give her the temporary occupation of Harfleur, Paimpol and Bréhac if she would refrain from fortifying them. But these she refused.

Henry was still hoping for the use of the English troops when hostilities should break out again. The remnant of

[1] *Acts of the Privy Council*, xxiv, 431, 437, 442; Camden (ed. 1688), 475; *Lettres Missives*, iv, 13–14.

the old force of Essex and Williams was now a small but well seasoned, trained and equipped body of eight hundred men, under the command of experienced captains with Sir Edward Brooke as general, and might be of great value to the king in putting down the remaining resistance to his authority. But Elizabeth was out of patience, and finally upon one of the periodical reports of an intended Spanish attack on Ostende, on the first of November, 1593, the eight companies and their cannon were loaded on transports at Dieppe and after stopping in the Downs and the harbor of Sandwich, for a few days, the soldiers being kept on board the hoys, "lest they should run away," they were all sent to Ostende. Even yet Henry had hopes that they would come back, and in January, 1594, asked for their return and reinforcement up to 3,000 men to help him in his campaign in the north. This was not granted however, and the eight "Normandy companies," as they long continued to be called, became a part of the permanent English garrison in the Netherlands.[1]

The troops in Brittany were destined to stay more than a year longer and to become the basis of still another organized expedition. The order of August 1st brought Norris and his troops to the sea-coast only. Through the next three months plans for bringing them back to England were successively made and then changed. The queen had not really made up her mind for their withdrawal, and in October the estates of Brittany sent over deputies begging for their stay. Nor was Philip inclined to yield his foothold in Brittany, and notwithstanding the truce in December, he landed 2,000 more men there. Although this was his fourth contingent, their losses had been so steady and heavy that at the close of the year 1593 there were only forty-seven companies numbering 5507 Spanish troops in France. But he had some ships of war in the harbor of Blavet, and Spanish privateers were seizing League and

[1] *Lettres Missives*, iv, 36–40, 86, 88; *Cal. State Papers, Dom.*, 1591–4, 369, 371, 376, 382, 383, 386, 388, 479, Addenda, 358; *State Papers, Foreign, Treaty Papers, France*, 1579–94.

cessful were often no more acceptable to her. She wished to restrict the fighting to the coast regions and the south. Relieved of pressure on the centre of their little territory by Parma's withdrawal from Gelderland at the close of 1591, the estates and Count Maurice, on the other hand, determined to devote the summer of 1592 to a recapture of Friesland and Groningen, in the north and east. Vere with some twelve companies of foot and four troops of horse, amounting in all to about thirteen hundred men, under his two brothers, Sir Robert Sidney, and other well trained captains, served under Maurice in the early stages of these operations. The English contingent formed one of the three parties that rushed through the breaches into Steenwyck in June, but when Maurice went to besiege Coevorden Vere received orders from the privy council to take no part in such distant fighting. Learning, however, that his Dutch allies were in danger of being overwhelmed by a sudden advance of the enemy, he strained his orders so far as to hasten to their camp to defend them against attack. Then he withdrew his troops, carried out the orders to put them in garrison, and spent the winter months fulfilling the still more uncongenial duty of preparing to be sent to Brittany another contingent of the troops he had so carefully trained. The Dutch in the meanwhile captured Coevorden. Before the year was over Philip's great commander in the Netherlands was dead, and the Republic had never again to contend with so gifted and energetic an adversary.[1]

Elizabeth wrote to the estates protesting against the expense and effort spent on the capture of such a comparatively valueless place as Coevorden, so far from the coast, but she did not see fit to write again when she arranged with her officers for the withdrawal of troops for the third time. The whole policy of the English government toward the revolted Netherlands was dominated by the requirements of the war with Spain. There is no indication of religious,

[1] Sidney to Burghley, July 14, Aug. 4, 1592, quoted in Motley, *United Netherlands* (ed. 1861), iii, 165–6; Markham, *The Fighting Veres*, 180–186.

social, political or economic sympathy with the rising Dutch state. Englishmen who were long in the Netherlands developed a keen sympathy with the cause of independence and became closely attached to individual persons there, but this had little or no echo at home. The queen showed, it is true, a broad conception of the war with Spain, as a contest to be fought out in the Netherlands, in France and on the sea; but she was also much influenced by her desire to obtain some permanent foothold across the channel.

Nevertheless the Netherlanders were now fighting Spain on more equal terms and the English connection though still of the greatest value was no longer the absolute condition of success. The siege of Gertruydenberg which lasted from March to June, 1593, was probably the most extensive and elaborate series of military operations that had ever up to that time been undertaken. Vere and his troops, although they were at this time restricted in number to less than a thousand men, conducted the approaches from the south and shared in the final capture. He was then placed by the estates in sole command of a series of operations in the north, carried on, though ineffectively, through the fall of 1593. The next year, however, the reconquest of the northern and eastern provinces was taken up in earnest by Count Maurice and completed by the capture of Groningen in July of 1594. In this campaign Vere and the English troops were continuously engaged and suffered many losses. While the companies were now returned to their garrisons Vere himself was sent by the estates on an honorable and dangerous mission. He was made commander of a body of Dutch cavalry and infantry whose duty it was to escort young Count Philip of Nassau and a contingent of troops going into France to the support of Henry IV against some of his few remaining rebellious vassals. The English commander safely fulfilled his mission and brought back the escort without the loss of a man.[1]

The conversion of Henry had been followed almost immediately by a disintegration of the League, which had so long

[1] Markham, *The Fighting Veres*, 187–197.

opposed his claims to the obedience of Frenchmen. One after another noblemen, cities, captains of fortified places, governors of provinces and *parlements*, through the remainder of 1593 and the early months of 1594, gave in their adhesion. Villars, the old defender of Rouen, was one of the earliest and most influential of Henry's new supporters, and the opposition seemed to have ceased when Paris allowed him on the 12th of March, 1594, to enter quietly into his capital. But here and there on the frontiers remained centres of opposition, and one of the most vigorous of these was that in Brittany. It was there that Henry especially besought a continuance of Elizabeth's help.

In Brittany a three-sided conflict was in progress between the Spaniards, Mercœur and the royalists. The intervention of Philip, eagerly sought as it had been at first, had long since become unwelcome to the duke of Mercœur. He had asked the king to send the third detachment of his troops, those landed in November, 1592, to the centre of France instead of Brittany, and was much offended when Philip nevertheless ordered them to land at Blavet and to attack Brest by land while a fleet was sent against it by sea. Mercœur ceased then to ask Philip for further troops, even for the cavalry he had before so repeatedly urged. When the news of Henry's abjuration came Philip, seeing any prospect of his own control of the crown of France disappear, determined on a still more vigorous campaign in Brittany, to hold if possible that valuable centre of disaffection. The 2000 troops sent in December, 1593, were landed again against Mercœur's protest and during the time of the truce. A small body of cavalry was also sent over in the spring.[1]

In August, 1593, news came to Burghley from a well informed correspondent in Bayonne that an expedition was being prepared in Spain to seize Bordeaux, build forts on both sides of the river, and to hold that part of the country for the Spanish king. This project was not carried out, but all through the succeeding fall and winter, rumors of the diversion of

[1] Carné, *Correspondance*, vol. i, xxiv, xxv, lvi, 158, 159, vol. ii, 11.

the expedition from southern France to Brittany, or some other despatch of troops thither came through various channels to England. In March Henry accompanied his request for new troops with positive though exaggerated assurances to the queen that 2000 more Spanish troops had landed in Brittany, and that there were now 6000 Spaniards in that province. He was planning to send a body of 1500 Swiss troops there but even then his forces would not be strong enough to make head against the Spaniards unless Elizabeth would send new troops. As usual Henry sent a special ambassador, M. La Fontaine, to press this request, and shortly after him another, M. La Chartres, to congratulate the queen on her recent escape from the attempt of Doctor Lopez on her life, and to reiterate his appeal for new troops.

Point was given to the king's request for a new English expedition to Brittany by the advance in April, 1594, of a body of Spanish troops from Blavet to the northwestward, and their seizure and fortification of the point of Crozon on the harbor of Brest. This position, if successfully held, might easily give entire control of that important harbor and city to the king of Spain. News of this movement reached Leighton in Jersey on the 4th of April and was sent home on the 6th. Elizabeth sent Sir Roger Williams over to make inquiries and by the end of the month had determined to yield to the king's request and to despatch a body of troops to regain the positions which had been lost and to drive the Spaniards from their new foothold.[1]

The next four months were spent in the usual negotiations and interrupted preparation. In June Sir Roger Williams was sent to Henry to demand that the duke of Montpensier be sent to Brittany to supersede D'Aumont, and to bring with him at least 2000 foot and 1000 horse to be added to the other French troops and to those of the English already there or about to be sent. But Montpensier did not want

[1] Lavisse, *Hist. de France*, vol. vi, i, 383–92; *Lettres Missives*, iv, 127, 138, 144–6, 157–61; *Cal. Hatfield House MSS.*, iv, 347, 359; *Cal. State Papers, Dom.*, 1591–4, 497; Addenda, 363.

to leave Normandy nor could Henry spare him, so St. Luc was appointed to go temporarily in his place, and even he did not get off for some months. Various numbers of troops were discussed for the English force, from 2000 to 7000, but the queen finally settled on the familiar figure of 4000, to be made up partly of some companies from the Netherlands, partly of new troops to be levied in England. A naval contingent was also added, since the fort of Crozon, against which the expedition was specially directed, lay directly on the sea. At one time it was proposed that the expedition should be placed under the earl of Essex, but in July the queen refused her permission, soothing his disappointment by a gift of £4000. It is an evidence of the widespread popularity of Essex that, as Pallavicini, a good observer, remarked, the knowledge that Essex was not to go on the Brest expedition "cools most of the ardor of the enterprise." Norris was left in control, as he had been of all the Brittany expeditions. He was summoned home in July for conference and his instructions were drawn up on the 31st of that month. As time dragged on people in England began to doubt whether the expedition would be sent at all, and Burghley complains bitterly of such reports being "blabbed abroad."[1]

The first troops to get off were the Netherland companies. June 13th a number of transports, convoyed by the Swiftsure, arrived at the island of Guernsey, with about 1000 English soldiers from Flushing, Brill and Ostende under the command of Sir Thomas Baskerville. They were sent directly on to Paimpol, where they were received by Norris and his troops and sent immediately with D'Aumont to lay siege to Morlaix. The naval expedition, six of the queen's ships, accompanied by seven London merchant vessels, with twelve hundred men, all under the command of Sir Martin Frobisher, went into commission on the 15th of July and sailed directly to the harbor of Brest. At about the same

[1] Devereux, *Lives of the Devereux*, i, 311; *Cal. Hatfield House MSS.*, iv, 567; *Cal. State Papers, Dom.*, 1591–4, 529.

time the warrants for the levy of the new troops were issued, and to the number of something more than 2000 they sailed from Portsmouth on the 29th of August. On the first of September they reached Brittany, disembarking as usual at Paimpol.[1]

They were just in time. D'Aumont and Baskerville had besieged Morlaix for more than two months unsuccessfully, and Mercœur was already drawing near with forces sufficient for its relief. Norris, who had gone to England for his new troops, found an urgent letter from the two commanders awaiting him on his disembarkation and pushed immediately to their aid. When Mercœur learned of his arrival with fresh troops he felt obliged to retire and the discouraged Leaguer town and garrison on the twelfth of September agreed to surrender. The English anticipated that the old promise of 1592 to deliver this city to the queen as a town and harbor of refuge would now be fulfilled, but they found themselves outwitted. D'Aumont, who had arranged the terms of surrender, had inserted or accepted a clause providing that the townsmen should not be placed under any governor not a native of their own province. Against this Norris protested vigorously, and Elizabeth when she heard the news made equally sharp complaints to Henry of his breach of promise. In opposition to the demands of Norris both D'Aumont and the estates of Brittany sent special messengers directly to the king. It required all Henry's skill as a letter writer and all his diplomatic finesse to assure both parties of his intention to keep his treaty engagements honorably, and yet not commit himself to allowing a piece of French soil to go into even the temporary possession of a foreign ruler.[2]

Military movements cannot wait on slow diplomatic negotiations. While the correspondence about Morlaix

[1] *Cal. State Papers, Dom.*, 1591–4, 537, 551, 559; *Cal. Hatfield House MSS.*, iv, 550, 552, 559, 565–9; Oppenheim, *Monson's Tracts*, Navy Records Society, i, 304.

[2] *Lettres Missives*, iv, 246–7, 248, 249, 268–9; Camden (ed. 1688), 486; *Cal. Hatfield House MSS.*, iv, 620–2.

dragged on through September, October and November to its inevitable conclusion in the reluctant acceptance of their disappointment by Elizabeth and her commanders, the army after ten days stay at Morlaix pressed westward toward its principal object. They diverged from the direct route, however, to seize the suburbs of Quimper Corentin, and Norris left his brother with D'Aumont and part of the troops to besiege that town while he hurried on to Crozon. Early in October the army reached the fort which they planned to capture and found Frobisher and the fleet already in the harbor. The Spaniards had prepared them a hard task. The fort, "The Lion," as it was called, was placed on a triangular point protected on two sides by the sea. Across the landward end extended a wall and earthwork with a counterscarp, gateway and drawbridge and a strong bastion at each end. It had been built with materials and by workmen brought directly from Spain, was designed according to the best military science of the time and was commanded by an old experienced captain, Don Tomé de Parades. It was garrisoned by four hundred picked Spanish troops, well provided with everything necessary for defence. On the other hand, no help was given to the Spanish garrison by Mercœur or the Bretons. The plan of establishing this stronghold was made by the Spanish commander in default of the acquisition of Brest itself, and was unwelcome to the League governor. The estates of Brittany also wrote to d'Aguila protesting that it was not one of the customary rights of allies to build forts without the consent of the people of the country and that there were already so many citadels in Brittany that the people were jealous and dissatisfied.[1] The English under Norris and the French under Baron Molac, with artillery brought from Brest and from Frobisher's ships, were in sufficient numbers and strength to prevent the relief of the castle by d'Aguila and to keep up a steady and vigorous attack upon it.

Quimper was soon captured and its besiegers joined the

[1] Carné, *Correspondance*, ii, 29, 30.

ttacking forces before Crozon, though D'Aumont himself, ho was now becoming old, was ill much of the time. Frob- her landed an attacking force from the fleet, which with the est of the English carried on the operations against the left astion, while their French allies attacked the right. Mer- œur still offered no help to the besieged, not being sorry to ee such a threatening Spanish stronghold in his province estroyed, even though by the common enemy. D'Aguila ried to come to the rescue of the fort with his troops from lavet, but was driven back and forced to listen to the distant annonading in impotence. The siege lasted for a month, ombardment, assaults, sorties, mines and every other form f attack and defence known to the time being almost con- tantly carried on. The losses were frequent and heavy. ir Anthony Wingfield, a "famous old soldier," was killed arly in the siege, and at the last assault Sir Martin Frobisher eceived a wound from which he died soon after his return o England. Finally, when the garrison was wearied and educed to a fraction of its earlier numbers, a part of the uter wall battered down and relief impracticable, the assail- nts combined in a general attack, forced their way in, ob- ained possession of the whole fort and tore down the Spanish ags. The commander was killed during the attack, all the urviving garrison were put to the sword, and a band of easants under Sourdéac, governor of Brest, brought in to aze the walls. Norris then pressed southward in a hasty ut ineffectual attempt to bring d'Aguila and his remaining roops to an engagement.[1]

Their special work in Brittany done, and both troops and ommander needed elsewhere, Elizabeth ordered her forces o withdraw immediately. Arrangements were made in Jovember for transporting 2000 of the troops to Ireland nd the remainder to various ports in England. But there

[1] Davila, *Delle Guerre Civili di Francia*, v, 354–362; Camden, 486; Oppen- im, *Monson's Tracts*, i, 308–9; Grégoire, *La Ligue en Bretagne*, 257; *Mem- able Services of the Noble General Sir John Norris Performed A. D.* 1594 *at rest in Britaine.*

were delays, and it was not until six weeks later, January 2, 1595, that a fleet of twenty-six sail appeared on the Breton coast ready to take the English troops aboard. Even now there was a difficulty, for when the fleet attempted to anchor in the harbor of Morlaix they were warned off and even fired at by the commander of the fort, so that they had to sail away to Roscoff. The French lived in such fear of an English seizure of one of their ports that they were unwilling to allow an English fleet to lie in a harbor the use of which had been repeatedly offered them, or to permit the embarkation of an English army from a town which that army had shortly before helped them to capture. On the advice of Norris the transports sailed from Roscoff to Paimpol where difficulties of the wind and of supplies held vessels and troops more than a month longer. Norris himself slipped across to Portsmouth, February 2, and was soon afterward sent to Ireland, where he spent the remainder of his soldier's life. The French commander still wanted to keep the English garrison in Brittany, but before February was over, the twenty-six remaining companies, numbering something short of 3000 men, embarked, and France was left for the first time for more than four years without English troops on her soil.[1] Negotiations for military support were frequently renewed during the remaining eight years of Elizabeth's reign, but no considerable body of troops again crossed the Channel. The relations of the two countries were purely diplomatic and commercial.

The five expeditions which had been sent to Normandy and Brittany in the years from 1589 to 1595, with their reinforcements, had carried out of England some 20,000 men, of whom perhaps a half never returned. The expense had been something over £200,000, a sum which was destined to remain a claim against the king of France till long after the death of Elizabeth. The effect of this expenditure of English life and treasure on the fortunes of

[1] *Cal. State Papers, Dom.*, 1591–4, 564–5, 1595–7, 1–12; Camden (ed. 1688), 487–8.

France is hard to estimate. Certainly the aid of England was sought for by Henry with the greatest eagerness and acknowledged with fulsome gratitude, and it was the only extensive and effective help he obtained from any ally during these years of early struggle. But just as certainly it was given by Elizabeth grudgingly, followed up inadequately, its value diminished by delay, vacillation, poor equipment and unwise restriction; its morale was low and its support from home indifferent. During the first part of the period Henry won important successes and to these the English contributed; later his gains were constantly balanced by equivalent losses, and the most that can be said is that he held his own; but in this resistance to destruction his English allies also bore their part, and that by no means an insignificant one.

The reward that the English obtained for their efforts was disappointing but not valueless. Successive campaigns directed to obtaining effective control of the southern shore of the Channel failed, largely because of the failure of the French to coöperate at the proper time and with the proper strength. Perhaps Henry relied on Elizabeth's overwhelming interest in that object not to make as great efforts as otherwise he would have done in those provinces, perhaps he preferred that the English foothold there should be partial rather than complete. On the other hand the Spaniards did not, either as a result of their own efforts or of the assistance of their allies of the League, obtain any such position in northern France as to endanger England; and to this extent England's efforts may be considered to have been successful. The desire of Elizabeth to obtain control of a seaport on the other side of the Channel, and the resistance of Henry to any such alienation of French territory were a mere pitting of the wits of the two sovereigns against one another and a reliance by each on the chances of the campaigns. The results were unfavorable to Elizabeth's hopes.

It is seldom profitable to consider what would have been the course of history if some of its factors had been different from what they really were. But in studying the relations

of Elizabeth with Henry IV it is difficult to refrain from speculating as to what would have been the results of an exchange of positions between the two monarchs; or rather what would have occurred if a sovereign of Henry's ability and temperament had been on the throne of England. With a united, obedient and patriotic people under him, with national resources in men and money far greater than were ever utilized by Elizabeth, with a restless group of young members of the nobility and gentry ambitious for military activity and distinction, a ruler of Henry's vigor, determination and clearness of sight would without doubt not only have made use of one or more of the recurring opportunities to crush the Spanish enemy, but would assuredly have sent military expeditions into France far larger, better equipped and better supported than those which have just been described. At the same time he would as certainly have exacted greater payment; and this could hardly have been in any other form than an acquisition of territory on the other side of the Channel. So the seeds of later hostility would have been planted, and such possessions could hardly fail to have been a curse rather than a blessing. Thus the failure of Elizabeth to secure the much desired foothold in France ought perhaps to be counted as another instance of her proverbial good fortune.

Part III

Exploration and Commerce, 1553-1603

Part III

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CHAPTER XV

EXPEDITIONS TO THE NORTHEAST: THE MUSCOVY AND EASTLAND COMPANIES

IN the year after the Armada a book was completed and published which made familiar to Englishmen the exploits of their fellow-countrymen in a field very different from that of warfare in France and the Netherlands. This was Hakluyt's "Principall Navigations, Voyages, and Discoveries of the English Nation," dedicated to Secretary Walsingham in a letter dated November 17, 1589. It was received with much appreciation by his contemporaries. A poet of his time urged,

> Thy voyages attend,
> Industrious Hackluit,
> Whose reading shall inflame
> Men to seeke fame,
> And much commend
> To after times thy wit.

To the men of his own as well as after times it meant the enhancement of England's reputation in a field where she had so far obtained little recognition. Nor had she deserved it. The generations who have since read with sympathetic interest the spirited narratives gathered in this work, and who are familiar with the career of England in exploration, commerce and colonization in modern times, can with difficulty realize how late she entered upon this sphere of activity. The names of Italian navigators had

been famous for more than a century; Portugal and Spain had each a long list of explorers, a varied story of adventure across the sea, wide-spread commercial relations, and a colonial empire before English sailors or merchants had ventured much beyond the immediately opposite shores of the continent or, with the exception of a few dreamers, thought of the possibility of colonial possessions.

It is true that Hakluyt in his zeal for the antiquity of English exploration includes in his collection the journey of the Empress Helena to Jerusalem and the voyage of King Arthur to Iceland; tells again the tales that Othere told King Alfred in the ninth century and Sir John Mandeville his credulous hearers of the fourteenth; and claims that his fellow-countrymen have always been "men full of activity, stirrers abroad and searchers of the remote parts of the world." But between the half-mythical stories of the middle ages and the narratives of the last half of the sixteenth century there is a great chasm, the division that separates marvel from fact, legend from personal report. It is the genuine English adventure, exploration, maritime activity and commercial enterprise of the forty years just preceding 1589 that form the real material of the "Voyages," and the real claim of the English to be counted among the seafaring nations of the sixteenth century. It is of this and the immediately following period that the chronicler Stow speaks when he declares, with true Elizabethan exuberance, "The searching and unsatisfied spirits of the English, to the great glory of our Nation, could not be contained within the banckes of the Mediterranean or Levant seas, but they passed far towards both the Articke and the Antartick Poles, enlarging their trade into the West and East Indies."[1]

In the earlier parts of this history it has generally been possible to begin the narrative with the date of the defeat of the Armada, August, 1588, or with some period shortly before or after that event. But the history of English exploration and of the foundation of her world-wide commerce

[1] Hakluyt, i, 3, 11–16, iv, 272.

would be of meagre interest and hard to understand withal if we could not include the events of the years that Hakluyt describes. This chapter will therefore be devoted to the pioneer period of English exploration and to the conditions that surrounded it, even though it requires us to go back to a period thirty-five years before the Armada and somewhat earlier even than the beginning of Elizabeth's reign.

The great incentive to early exploration and maritime enterprise was the desire for trade. Natural human curiosity, the love of adventure and aspiration for knowledge entered, of course, as motives. The youth who went "to discover islands far away" are grouped by Shakespeare with those who went "to the studious universities." After war began plunder was an additional stimulus. Occasionally there were still other motives, religious or political. But the original, constant and effective inducement to exploration was the eagerness of enterprising merchants to open up profitable lines of trade. This desire, quickened by the need for new markets that followed on the improvement of manufactures, and made possible by the increase of capital, asserted itself as early as the middle of the century. In three successive years trading fleets were equipped and sent out in three unfamiliar directions, one toward the north east, another to Morocco, the third to the coast of Guinea. Of these the first named was the best organized, the most ambitious and most fruitful of results. In a certain sense it forms the beginning of modern English exploration and trade; its organization and achievements may therefore be described in some detail.

In the year 1553, a group of London merchants, between two and three hundred in number, formed a loosely organized company, each subscribing £25 toward their joint expenses. They applied for advice as to a field for trade to the veteran navigator, Sebastian Cabot, who was familiar with the colonial undertakings of Spain and Portugal and had himself shared in the first tentative exploring expedition of England, under his father, more than half a century before. Guided

by his judgment, the adventurers decided to try the unknown northern and northeastern seas, primarily with the object of reaching the rich trading lands of China and the East Indies, but also with the hope of finding "new and unknowen kingdoms" on the way thither. They called themselves "The Mysterie and Companie of the Marchants Adventurers for the Discoverie of Regions, Dominions, Islands and places unknowen." [1] This group of merchants seeking new markets is to be carefully distinguished from the ancient "Society of the Merchants Adventurers of England" which had long possessed monopoly rights of trade on the shores of the continent immediately opposite England. "Merchants adventurers" in the sixteenth century was a generic, not a specific name, and was applied to many groups of pioneers in new lines of trade.

The project of these northern adventurers was from the beginning of a semi-public nature. This was attested by a letter given them by the young king, Edward VI, addressed to "All Kings, Princes, Rulers, Judges, and Governors of the earth, and all other having any excellent dignities on the same, in all places under the universal heaven." Copies were drawn up in Greek and other languages as well as English. This letter, with its universality of address, its avoidance of any special name for the deity, its cosmopolitan date "in the yeare from the creation of the world 5515," its justification of trading intercourse, its praise of the merchants' calling, and its plea for reciprocal privileges of commerce between England and other countries, became a sort of program or statement of principles for the use of enterprising merchants, and was printed and reprinted, translated and issued in many forms during the next half century.[2]

Sir Hugh Willoughby, a man of high character and experience, was chosen by the merchants and licensed by the king

[1] Hakluyt (ed. 1906), ii, 195; Gerson, *The Organisation and Early History of the Muscovy Company*, 3.

[2] Marsden, *Trans. Royal Hist. Soc.*, N. S., xvi, 80; Arber, *Three first printed Books about America*, 333-4; Hakluyt, ii, 206-211.

to serve as admiral of the expedition, with Richard Chancellor second in command. Three ships, the Bona Esperanza, the Edward Bonaventure and the Bona Confidentia, were purchased, armed, equipped and provisioned for eighteen months. They were provided with merchandise considered suitable for sale in China or in lands to be discovered on the way thither. The ships' companies varied in character and position from gentlemen and merchants of standing down to mariners pressed into the service from the lowest population of the seaport towns. The little fleet dropped down the Thames May 10, 1553, turned northward, beat up the coast of Norway against the wind, and rounded the North Cape. Here they met with disaster, being scattered in a wild northern storm. Willoughby with two of his vessels took refuge in a harbor on the coast of Lapland where, incapable of enduring the long northern winter, he and his whole company and crew died of hunger, cold and scurvy. Chancellor, however, driven further to the eastward, sailed south and luckily entered the White Sea, landed at the mouth of the Dwina and, finding himself in the dominions of the czar, left his vessels in the harbor and journeyed fifteen hundred miles inland to Moscow. He was well received by Ivan IV and after some months returned to England with favorable letters from him and the prospect of active trade. Thus the expedition of Willoughby and Chancellor resulted not in reaching Cathay and the East Indies, or in discovering new islands and dominions, but in making a commercial connection by this northern route between England and the half-Asiatic, half-European country of Russia.[1]

In the sixteenth century the opening up of a new trade route usually involved the establishment of a chartered company with a monopoly of the new trade. Therefore when Chancellor returned to England in 1554 with the report of his entrance into Russia and of the privileges of trade the czar had promised, the London merchants drew closer the bonds of their organization and asked for a royal charter.

[1] Hakluyt, ii, 212–251.

This was granted them February 5, 1555. Models lay ready to hand in the familiar charters of the old gilds, the Society of the Staplers, the Merchants Adventurers, and the Merchants Trading to Spain and Andalusia. Whether any one of these was actually followed or whether the form of organization was dictated simply by the requirements of the situation, the charter granted them was just such an elaborate body of rights, privileges, rules and regulations as was already possessed by each of these old organizations, and was to become typical of a whole group of sixteenth and seventeenth century commercial companies.[1]

The two hundred or more persons who are named in the charter as members of the newly formed company, or who early became members, included a group of ministers, Winchester, Cecil, Walsingham, Howard and others, a number of men interested in geography and exploration and most of the prominent merchants of London of the time. The company was given the right to hold meetings in London or elsewhere and to elect its own officers. There were to be either one or two governors, twenty-eight assistants, four of whom should have the higher title of consuls, and certain minor officials. Membership seems at first to have been given to all such as were willing to subscribe to the early adventures. Later it could be obtained by patrimony, purchase or service, as in the traditional requirements of the Merchants Adventurers and other companies and gilds. The company was given the sufficiently cumbrous name of "The Merchants Adventurers of England for the Discovery of Lands, Territories, Iles, Dominions and Seignories unknowen, and not before that Late Adventure or Enterprise by Sea or Navigation commonly frequented." In an act of parliament passed for the reincorporation of the company in 1566, its title was somewhat shortened; but as a matter of fact it was commonly known from the beginning simply as the

[1] Hakluyt, ii, 293–316; Lingelbach, *Laws and Ordinances of the Merchants Adventurers*, 218–236; Carr, *Select Charters of Trading Companies*, 1530–1707, *Selden Society*.

Company for New Trades, the Russia Company or the Muscovy Company.[1]

The organized traders to Russia thus began an existence as an incorporated company which has continued to the present time. The records of this existence down to 1666, as they were preserved in the minute books and journals of the company, have been irretrievably lost, probably by the great fire of that year, and its original charter, seal and many other muniments have been destroyed in later fires or by neglect. Its history must therefore be pieced together from such scattered records of other kinds as still exist. Muscovy house, at one time in Seething Lane, later on Duke Street, in the parish of St. Antholin, where the great courts of the company were held, and where the officers and council met to carry on its business affairs, became a centre for such interests and a gathering place for many successive groups of merchants and promoters of commercial and exploring enterprises. Muscovy Court, running back from Trinity Square, in the midst of commercial stores and offices, still serves to perpetuate the memory of the original location.[2]

The company proceeded during the remainder of the sixteenth century and for long afterward to send out a little fleet each year. They leased from the city St. Botolph's wharf, built warehouses, and shipped goods under a mark that soon became well known in England and the White and Baltic Seas. In order to instruct their mariners and carry out their plans for navigation they maintained for some years "one learned man in the science of Cosmographie," paying him the liberal salary of £200 a year. Usually there were but three or four vessels in the fleet but sometimes the company was more ambitious. In 1582 nine ships and one bark, in 1584 ten vessels were sent. During one period of special

[1] Hakluyt, iii, 83–91; Gerson, *The Organization and Early History of the Muscovy Company*, 22–45; *King's Remembrancer, Exchequer Depositions*, Hilary Term, 22 Jas. I, *Interrogations for the Defendant*, Item 6.

[2] Page, *The Russia Company*, 1553–1660, Preface, i; Gerson, 33–4; Baedeker, *London*.

prosperity the annual fleet rose to a dozen or more vessels a year. The fleet usually sailed from England in April or May and had to return by September to avoid being frozen in the ice. It was a long journey, the total distance from London to the mouth of the Dwina being about 2250 miles.[1]

These fleets, as they left the Thames, were loaded principally with the English cloth which was at this time becoming so famous and was finding such a ready sale in all places to which the English merchants carried it They took besides some other characteristic English productions, such as tin and paper, and wine, raisins and other goods imported into England from southern Europe. The largest element in their return cargoes was rope and cordage manufactured from the hemp which grew so abundantly in Russia. Whale and seal oil, tallow, wax, caviar, hides and flax were other homely wares which the company's agents obtained in abundance there and which were in constant demand in England. Furs during this period were rapidly going out of fashion, being superseded in popularity by silks and velvets. What would therefore earlier have been a profitable object of import from Russia was restricted in amount and only occasionally imported. The cable, rope and cordage brought in the company's vessels found its best customer in the government. The Russian cables had the reputation of being the best in the world, and the navy officers frequently purchased several thousand pounds worth in a year. Of all the expenses of the Admiralty in 1587 more than one fourth, £3351, was for rope bought from the Muscovy Company. In March, 1588, when the fleet which fought the Armada was being put into condition, Hawkins, contractor for the navy, ordered "cables to the value of £3000" from the Muscovy Company, and later in the year ordered thirty more.[2] In 1590 the govern-

[1] Overall, *Index to Remembrancia Books*, 176; *State Papers, Dom., Elizabeth*, ccxxxviii, 129; *Lansdowne MSS.*, xlii, 69–70; Hakluyt, iii, 303–6.

[2] *State Papers, Dom., Elizabeth*, ccxvii, 72, ccxviii, 44, ccxxx, 83; *Cal. State Papers, Dom.*, 1581–90, 74, 1591–4, 154, 248, 324, 396, 408, 1595–8, 109, 1601–3, 24; Gerson, 93–99; *Cal. Hatfield House MSS.*, v, 399, vi, 571, vii, 484, 504; *Patent Roll*, 19 *Elizabeth*, xii.

ment owed the company £3547 for cordage and £946 for wax. In 1593, £1949 was owing, £9960 worth was bought in the year 1595. At one time the debt of the government to the company for cordage rose to £15,000, and a running account of this kind continued through the whole period of the Spanish war to measure the purchase of ship stores for the navy.

In 1577 the company added whale fishing to its occupations, obtaining from the queen an exclusive privilege for twenty years; but this industry did not flourish till later.

The company had its principal warehouse in Russia on Rose island, in the bay of St. Nicholas, on the White Sea. This was near the western mouth of the Dwina river and remained the usual landing place of the fleet, even after Archangel was established at a more convenient location in 1584. They had agencies and houses also at Cholmogory, seventy-five miles up the river, at Moscow, the Russian capital, in the cities of Vologda and Jaroslav, and at certain times in Novgorod and Pleskov, and at the far away points of Kazan and Astrachan. Their house at Moscow, behind the market place, near St. Maxim's church, shared with the rest of that city destruction by fire in the raid of the Crim Tartars of 1571, when a great quantity of their goods was destroyed and more than thirty employees of the company, including the wife and children of one of the warehousemen, were burned to death.[1]

The Englishmen taken out by the company to carry on their traffic with its varied requirements at these stations rose to a considerable number. They were all sworn to faithful service to the company and engaged for certain periods of time, many of them being young apprentices sent out to learn the business. Yet they caused the company great expense and worry by their expensive and often disorderly practices, and repeated instructions for their discipline were sent to the resident agents. Some on the expiry of their terms

[1] Carr, *Select Charters*, 28; Hakluyt, iii, 83–91; William Smith to James Woodcocke, May 15, 1572, Wright, *Queen Elizabeth and her Times*, i, 416, 422.

came back to England, others remained in Russia, often to become a source of trouble to the company in other ways. In order to obtain a constant supply of cordage and to keep up its quality the company sent out skilled rope-makers, who were provided by the agent with hemp for its manufacture at the company's own warehouses. In 1591 a formal request was sent by the company in London to the wife of John Smith, the rope-maker, to allow her husband to stay one more year in Russia, which she granted. The company obtained from the Russian government the privilege of coining money for the local use of several of their stations, and also the right to seek for iron ore and to utilize the government forests in smelting it.[1]

Other Englishmen came into Russia in the direct employ of the czar. Ivan and his successors were eager for western knowledge and skill. In 1576 the emperor wrote to Elizabeth asking her to send him a doctor, an apothecary, men cunning to seek out gold and silver and men who could fortify towns and build castles and palaces. He promised to take them into his service, keep them always and give them liberal rewards, or to let them go when they wanted to leave. As a result, a Dr. Reynolds, Thomas Carver, an apothecary, and three or four other men skilled in the directions indicated by the czar went to Russia. Later, still others went from time to time, but although they received salaries of fifty, a hundred and even two hundred rubles, most of them soon wearied of the barbarism of Russia and returned when they could secure their release, which was often difficult. English physicians were in special demand, the superstition of the czar attaching somewhat mystical powers to their learning. This appeared in the case of Dr. Elisaeus Bomel. This man was a German who had been educated and was long settled in

[1] *State Papers, Dom., Elizabeth*, ccxxxviii, 129; Hakluyt, iii, 113, 116; Letter of Company to their agents in Russia, sects. 21–34, 36–40, in Morgan and Coote, *Early Voyages and Travels to Russia and Persia*, Hakl. Society, 206–227; Inna Lubimenko, *Les Marchands Anglais en Russie au xvie Siècle, Revue Historique*, cix, 5.

England. He had dabbled in magic and was accordingly sent by the archbishop in 1570 to the Queen's Bench prison, with the anticipation of releasing him on condition of his leaving England. While lying in prison a messenger from the Russian ambassador who was then in London came to him offering him liberal pay if he would come into the service of the czar. He was thereupon released, went to Russia with the ambassador, long deluded the czar with false prophecies, and a number of years afterward was put to the torture and suffered a hŏrrible death on suspicion of treasonable correspondence with the czar's enemies. In 1582 the queen sent to the czar one of her own physicians, Dr. Robert Jacob. In 1587 the successor of Ivan made a strong effort to induce Dr. Dee to enter his service, but he refused. Ten years afterward the czar is again asking the queen to send him over a physician, and she selects first a Dr. Jessopp and on his death, Dr. Willis. In this case the arrangement worked out badly. Before Willis was ready the fleet had sailed, so the company sent him overland, but he was misrepresented to the emperor and ill received, got into a long dispute with the company about his expenses and returned in 1601. The next appointee, Dr. Christopher Reilinger, like his predecessors, speaks highly of his entertainment but nevertheless in 1602 is petitioning from Moscow to be allowed to come home.[1]

The purchase of naval supplies was only one of many bonds which connected the Muscovy Company with the government. The political and commercial privileges granted by the charter and the dependence of the company on the government to see that they were enforced, the overlapping of economic and political interests, which led to the sending of ambassadors from England to Russia and the reception of envoys from Russia, the support and entertainment of such ambassadors by the company, and a large body of general

[1] *Harleian MSS.*, ccxcvi, 194; J. Hamel, *Tradescant der Aeltere in Russland*, 113–14, 124–5; *Travels of Sir Jerome Horsey*, Hakl. Soc., 168, 173; Hakluyt, iii, 314, 445–8; *Cal. Hatfield House MSS.*, x, 236–7, xii, 172; *Acts of the Privy Council*, xxx, 433, xxxi, 413; *Cal. State Papers, Dom., Elizabeth*, 1581–90, 355.

international intercourse confused the business of the company with matters of government. The agents of the company going to Moscow were frequently entrusted on the other hand with political duties by the queen and council, and on their return to England were required by the czar to convey messages of a political character to the queen. The regular ambassadors from the queen as well as these agents were taken over on company's ships and ordered to act largely on the instructions of its officers and for the company's interests. Similarly when Osep Napea in 1557, Twerdico and Pogorella in 1567, Saviena in 1569, and Pissemsky in 1582 came to England with messages from the czar, they were looked after by the company at its own expense, and the queen followed the company's advice on the commercial matters on which alone negotiations took place.

Ivan "the Terrible," who was on the throne of Russia from the first appearance of the English in that country till 1583, was anxious to enter into a close offensive and defensive alliance with Elizabeth, and to obtain from her merchants munitions of war for his conflicts with the kings of Poland and Sweden. In 1567 he sent by Anthony Jenkinson, one of the company's agents, a special request for a close treaty, "her grace to be friend to his friends and enemy to his enemies." This demand was made again and again through the whole remainder of his reign. Elizabeth on the other hand wished to restrict English relations with Russia to the neutral commercial field. She was successful in avoiding the formation of such a treaty as the czar desired, but only through great care, much diplomatic finesse and some tergiversation. But although she did not commit herself openly to a political alliance with the czar, she was generally charged with having, in direct opposition to her own rules of contraband and her public proclamation, connived at the export in the company's ships of ammunition to be used by the czar in his wars with the Baltic countries.[1]

[1] *Cotton MSS., Nero B*, xi, 332; *Lansdowne MSS.*, cxli, 278–284; *Travels of Sir Jerome Horsey*, 194; Dalin, *Geschichte des Reiches Schweden* (ed. 1763),

The company was almost entirely dependent for its prosperity on the internal condition of Russia. The privileges granted by the czar were most liberal. He gave to the agents of the company the right to visit any part of his dominion and to buy and sell goods of all kinds without the payment of toll or tax. The company was to receive protection and help from Russian officials, and to be assisted in the enforcement of its chartered rights against its servants and any other Englishmen, even to the extent of putting at the disposal of the company's officials, the czar's "prisons and instruments for punishment." In 1567, 1569 and 1578, they were given new privileges, including the monopoly of all trade with Russia by way of the north, the czar promising not to allow merchants of any other nation to come to his coasts at Cholmogory, the river Dwina or at any place on the White Sea.

But these advantages were hard to keep. Ivan was engaged in constant wars of defense or conquest, and the company's fortunes necessarily reflected their progress. His anxiety to obtain an offensive and defensive alliance with Elizabeth, thwarted by her unwillingness or procrastination, induced him more than once to withdraw all privileges from the English merchants. Then ensued an appeal from the merchants to the queen to use diplomatic measures for their restoration to their former privileged position, and for a reëstablishment of a "firme amitie between bothe the prynces"; or a long memorial declaring the advantages of the Muscovy trade to the nation as well as the company; or a humble request that the queen would send more gracious answers to the czar's letters than she had recently given. In each such case, after the passage of some time, the sending of an embassy and stringent efforts for the mollification of the emperor, the old privileges were restored to the company and sometimes even extended.[1]

The privileges of the company extended, as has been said,

ii, 360; *P. R. O., Russian Correspondence*, quoted in Bond, *Russia at the Close of the Sixteenth Century*, ciii; Hakluyt, iii, 108–119; *State Pap. Dom. Elizabeth*, cviii, 10.

[1] Hakluyt, iii, 92, 108, 347, 439; *Harleian MSS.*, ccxcvi, 189–193; *Lans-*

through the whole dominion of the czar. In his career of conquest these bounds were increased by the annexation of Kazan on the Volga in 1552, and the capture of Astrachan on the Caspian Sea at the mouth of that river in 1554. The extension of their trade southward and eastward through this newly acquired region was an obvious possibility for the English merchants, under the terms on which they were established in Russia. It might also be a fulfilment of one of the original objects of the adventurers, the reaching of China and the Indies overland, if not by sea. To carry out this more ambitious extension of their trade beyond the limits of Russia proper, the company placed in charge of the annual expedition sent out in 1557 Anthony Jenkinson, a man who had already travelled to the East by way of the Mediterranean. Jenkinson was a type of the bold, enterprising, indefatigable English adventurer of the time, and he was heartily in sympathy with these wider plans of the Muscovy company, if he was not actually the originator of them. He carried with him orders to the agents of the company in Russia to furnish him with such money, supplies and men as he should consider necessary for his expedition. His long and interesting journey southward to the Caspian, across its waters and eastward through Turkestan as far as Bokhara; his adventures among the wild Tartar tribes; his observations in the ancient marts through which he passed and in which he traded his English goods for native products; and his discovery of the length and difficulties of such a route to the far east cannot be detailed here.[1]

Nor can any full account be given of the less ambitious attempts which, on Jenkinson's advice, were now made by the company to enter into trading relations with Persia and the regions immediately adjacent to the Caspian Sea, and through them with India.

downe MSS., cxii, 125–128; *State Papers, Dom., Elizabeth*, ccxl, 65, 70; *Cal. State Papers, Dom.*, 1581–90, 91, 1591–94, 122.

[1] Vaughn, *English Trading Expeditions into Asia under the Authority of the Muscovy Company*, 1557–1581, chap. i.

An anonymous and undated but patriotic "Discourse touching Russia and Persia and how they may be traded with," with some accompanying memorials, states with great fertility of suggestion the advantages of such a trade, if it were rightly carried on. A man might be sent out to learn there the forging of Turkey blades and the tempering of iron and steel for light armor, a skilled bowyer might be sent to cut bow staves from the yew forests near the Caspian, and a man who could make gunpowder might go and open up the veins of saltpetre in Georgia. It would be advantageous to learn how the thick felted Russian cloth was made. The old disused arquebuses and shirts of mail now lying useless in the Tower might be sold there; wars could be stirred up between Persia and Turkey which would relieve Europe of the constant menace of the Mahometan, and younger sons of the English gentry who find no occupation at home might be "placed" in these wars. Taking cloth directly to Persia and bringing silk thence would cut off trade from Catholic Italy, France and Spain and thus relatively strengthen the Protestant states of Europe. The trade in the spices of the east might be brought to the Caspian, as the younger Pliny stated that it was in the old time. To carry out these plans, an ambassador should be sent who was trained to deal with princes, and not "servants and factors, such as have bin bred up at Tankard boards and not in universities or in Princes' coortes." [1]

During the succeeding twenty years, between 1561 and 1581, six separate "voyages" or expeditions were sent out to these lands. Goods specially intended for the Persian trade, in addition to those sent for exchange in Russia, were prepared at Jaroslav on the upper Volga. A journey of a thousand miles or more down that river brought the English traders and their merchandise to Astrachan, which, lying as it did at the northernmost point of the Caspian, was really a border city between Europe and Asia. Here a vessel was built or otherwise secured, and the goods transported to

[1] *State Papers, Dom., Elizabeth*, ccxxiii, 52, 53.

some port on the south coast. Then the leaders of the expedition, provided with the letters of the queen of England and the czar of Russia, made their way to Shamakha, Tabriz, Kasbin, or some other Persian city, obtained letters of protection from the Shah and proceeded to sell their kersies, and buy raw silk or other Persian products, or the spices, drugs and precious stones that came to the Persian markets from India and the east. In reaching Persia, they gained access to a productive trading land, and tapped some of the oldest and most profitable lines of oriental trade at an advantageous point. They planned at one time to secure a foothold on the Don river where it comes nearest to the Volga, and to carry goods they had brought from England and goods they had bought in Persia alike across this narrow neck of land, take them down the river to the sea of Azov, then across the Black Sea to Constantinople and thus secure an outlet on the Mediterranean.[1] But the difficulties of the trade were many. The waters of the Caspian Sea were stormy. The traders were Christians, nominally at least, in a Mohammedan land. The long stretches between the cities were infested with bands of robbers or wild Tartar and Turkish tribes scarcely less dangerous; the climate was in many places unhealthy; their trade was interrupted and their property often destroyed or seized in the numerous internal wars that were at that time disturbing the Persian monarchy.

Yet notwithstanding these difficulties, the great profits of the trade might have guaranteed its continuance, had not the advancing conquests of the Turks in their wars with Persia carried them to the shores of the Caspian and given them by the year 1578 the possession of Derbend, Baku, Tabriz, and other towns in the heart of old Persia. These wars did not have the advantageous effect the writer of the "Discourse" had anticipated. The Turks favored the merchants who came from Mediterranean ports, and the bonds which the Muscovy traders had knit with the Persian government broke under the strain of Turkish conquest. In 1580 the

[1] *Cal. State Papers, Spanish, 1580–6*, 365–9.

last agents of the Muscovy company left the southern shores of the Caspian. Even after two thirds of their goods had been captured by the Tartars and some more by thieving Russians they are said in this journey to have gotten back their capital and a profit of six per cent. But although a resumption of the intercourse with Persia and India through Russia was frequently proposed, no further trading expeditions took place along this route for more than a hundred and fifty years. Their ultimate failure, however, does not detract from the impression of boldness of conception, vigor of action and adaptability of temperament made on the mind of the reader of the narratives of these journeys from England around the North Cape, into the White Sea, up northerly flowing rivers, across the water-shed, down rivers flowing to the south, across an inland sea and far into the heart of Asia.[1]

The year that saw the final return of the disappointed merchants from Persia, saw also the failure of the last effort of the company to carry out another of its early objects, the reaching of China by a northerly sea passage. All through the development of trade relations with Russia, and the efforts to extend this trade to the eastward and southward overland, had persisted the idea of reaching the Indies by sea to the northward and eastward. The company was an exploring as well as a trading body. From time to time efforts were made to fulfil this function. In 1556 Stephen Burrough, who had been master of the Edward Bonaventure in the first voyage, was sent out on this quest by the company with a little vessel called the Searchthrift. Instead of entering the White Sea he passed across its entrance, and thus quickly reached regions not before visited. He secured a pilot from the fishing fleet of the Russian Laps, entered the mouth of the Petchora river, visited a number of the small islands along the coast of Nova Zembla, and observed the rude and bloody wooden idols of the nomadic Samoyeds who were at the time wandering somewhere inland. The little vessel spent the months of July and August struggling with

[1] Vaughn, *English Trading Expeditions into Asia*, 127–210.

the ice in the Straits of Waigatz. Finally, baffled by the ice and the northerly winds, Burrough gave up the effort, turned southwestward and a month later joined the other ships of the expedition of that year at the company's station at Cholmogory.

Detailed plans for another voyage were made in 1568 but the expedition was either abandoned or else achieved no success and has left no chronicle. In 1580, however, much more elaborate preparations were made for an exploring voyage to the eastward. Neither the company nor the navigators of the time had any conception of the vast stretches of Siberian coast, the unending fields of ice and the troublesome tides and currents that made the passage around the north coast of Europe and Asia a problem unsolved until our own time. Their principal fear was that the Russian coast trended so far to the northward as to connect with Nova Zembla thus making a land barrier reaching far up toward the pole. Their favorite hope and confidençe on the other hand, was that if this barrier were once passed the coast would prove to fall away so quickly to the southward and eastward as to furnish a short and easy water route to China, Japan and the East Indies.[1] The George and the William, the former of forty tons with a crew of nine men and a boy, the latter of twenty tons with a crew of six, were fitted out by the company as an exploring fleet and placed under Arthur Pet as "admiral" and Charles Jackman as "vice-admiral." Provisioned for two and a half years, furnished with instructions and advice that combined the experience of Burrough, the wide reading of Hakluyt, and the scientific knowledge of John Dee and Gerard Mercator, provided with letters from Elizabeth to the emperor of Cathay, and buoyed up by much popular interest and the optimism of absolute ignorance, the little pair of boats sailed from Harwich in May, 1580. They followed the route of Burrough and got scarcely further than he. Two months of bitter struggle with wind, fog and icebergs off the island of Waigatz convinced them of the futility of their

[1] Hakluyt, ii, 322–344, iii, 119–123.

efforts even before they had an opportunity to learn the extent of their task. Pet with the George made his way back to the Thames at the close of the year. Jackman with the William wintered in Norway, sailed toward Iceland in the spring, and was never heard of again.[1]

From these unsuccessful efforts to extend the lines of English trade beyond the limits of Russia by land, and still more hopeless searches for a north-east passage by sea, it is necessary to turn to events occurring in a part of the Russian empire which lay nearer to England. One of the latest, most important and most difficult of the conquests of Ivan the Terrible was the peninsula of Esthonia and Livonia. It was by a series of long campaigns wrested by him from the king of Poland and the Knights of the Sword, and remained in his possession from 1558 to 1581. He was during this period of twenty-three years given access to the Baltic and brought into close contact with the countries of western civilization. On the Esthonian coast, far up in the Gulf of Finland, lay the city of Narva, long a port of entrance to the districts inland as far as Novgorod, and a valuable mart for goods brought thither by merchants from the Hanse towns. English merchants trading to the Baltic first found their way there in 1560, soon after its capture by the czar. This was a matter of interest to the Muscovy Company. Their charter gave them control of all English trade to the dominions of the czar and it might easily be interpreted to include these new acquisitions. Another clause gave them the monopoly of the use of all new lines of discovery to the north, north-east and north-west, under which the trade to Narva apparently fell. It was evidently a much shorter and more direct way to reach Russia than the long and half-frozen route by the North Cape, the White Sea and St. Nicholas, and might readily be used as an additional means of access to the czar's dominions. On the other hand, if merchants not members of the company should make a practice of going from

[1] Hakluyt, iii, 251–303; Beke, *Three Voyages to the North East*, Hakluyt Society, *Introduction*, pp. i–cxl.

England to Narva, the company would lose the benefit of its monopoly and find both its old and the proposed new route less profitable.

The matter was soon brought to an issue. In 1564 William Bond, George Bond, John Foxall and their partners, the first of whom at least was a member of the company, prepared a private venture in certain ships to be sent to Narva, and although the company secured from the privy council an order forbidding them to go they disobeyed this and proceeded with the voyage. For this disobedience William Bond was sent to the Fleet prison, November 17, 1564, and kept there for a week. At the same time the company made a complaint of their operations to the council, asked that their ships and goods should be forfeited on the grounds of their invasion of the company's monopoly and that in future all independent English merchants going to the Baltic should be required to give bonds not to go to Narva. The Bonds and their partners returned a formal answer to this, November 25, declaring that Narva was not a part of the czar's dominions when the company's charter was given and that the trade thither was not a new trade, being long well known to many Christian nations. They made also a bold appeal to Magna Charta and other old statutes, stating that they were advised by their learned counsel that they were by these provisions of the law at liberty to go anywhere to trade notwithstanding the company's charter. The reply of the company to this protest was prompt, being dated the same day. They reiterated their claims, and referred scornfully to the statement of freedom of trade as "contempt and disobedience of the queene's majestie and arrogant presumption to examine and skan the limitts of the royall prerogatyve of the princes of thys Realme." [1]

The council decided in favor of the company and issued a formal decree, December 25, 1564, ordering the interloping merchants to withdraw from the trade, and if they wished to

[1] Hakluyt, ii, 313–16, iii, 85–89; *Acts of the Privy Council*, vii, 160; *State Papers, Dom., Elizabeth*, xxv, 20–23.

reclaim their goods and their agents still at Narva to apply for a license from the company to be allowed to do so. In future all individual merchants sending vessels to the Baltic must before their departure deposit bonds guaranteeing that they would not trade with that port. Two years afterward a special statute was passed in parliament confirming the rights of the company and naming Narva specifically as being within its sphere of trade.[1]

But the trade was hard to hold. Many unauthorized English merchants made their way there from 1565 onward. It was said that in some years as many as a hundred English vessels small and large were sent to Narva for hemp and flax. About 1567 two of the company's own agents, Bennet and Glover, located at Narva, taking advantage of the czar's vexation at Elizabeth's refusal to enter into a full treaty with him, for which he held the company responsible, entered into a conspiracy to obtain special privileges for themselves. They wrote a letter to the czar declaring that more than seventy ships belonging to Englishmen not members of the company, as well as many from other nations, had come to Narva the year before bringing all kinds of commodities, which they sold cheaply or bartered for Russian wares, giving a good price for them. They reminded the czar that the company fearing to lose its monopoly had hidden these facts from him and had urged him to write a letter to the queen asking that no Englishmen except members of the company be allowed by her to sail thither, but that he had refused. Nevertheless the company had induced the queen to issue a proclamation threatening death and confiscation of goods to any merchants not members of the company, their fathers, mothers, wives and children, if they should venture to trade to Narva. Fifty ships were now in England ready to come to Narva but were prevented by the company. They appealed therefore to the czar to write to Elizabeth protesting against this injury to him, and to issue his imperial letters allowing all Englishmen to trade as freely

[1] *Acts of the Privy Council*, vii, 163, 178–9; Hakluyt, iii, 85–89, 91.

as the company. By this exaggerated statement and shrewd appeal they induced the czar to give them permission to trade at Narva and elsewhere in his dominions, and proceeded to deal in the company's goods in their hands as if they were their own. It required the despatch of a special ambassador from the queen in 1569, accompanied by two agents of the company, to induce the czar to reëstablish the company in its favored position in Russia, to annul the special privileges of Glover and Bennet, and to agree to the requirement of the English government that no Englishmen but members of the company could trade to Narva. The disloyal servants of the company were thereupon brought back to England to answer for their offences. In 1572, a certain Richard Woodgate of Yarmouth traded to Narva in the Elizabeth George, and as a result was prosecuted in the admiralty court and punished there.[1]

In 1570 the company sent a fleet of thirteen vessels through the Baltic to Narva although as a matter of fact their agent had not secured enough goods to load all of them. On this voyage they had been warned of the probability of meeting pirates from Dantzig and therefore their ships were especially well armed and placed under the command of the veteran seaman William Burrough. They had almost reached Narva when on the 10th of July they met six sail of the freebooters, which promised such an advantage that Burrough gave chase to them, and captured five of the vessels and eighty-three men. These with the object of securing the favor of the czar he handed over to the Russian governor, except one of the captains, Hans Snark, who had previously done some English captives a good turn and was therefore, at the request of fifty Englishmen in Narva, taken to England for milder treatment than he was likely to get in Russia. In 1576 the company had so much merchandise lying at Narva ready for shipment to England that they obtained a special license

[1] Wheeler, *Treatise of Commerce*, 55; Purchas, *His Pilgrimes*, xii, 572; *Select Cases in the Court of Admiralty*, Selden Society, ii, 150; *Lansdowne MSS.*, cxii, 130.

from the privy council to hire three Lubeck vessels to transport it, the use of foreign vessels to carry their goods, except by special license, being forbidden to the company by its second charter.[1]

This intercourse with Russia through Narva, brought another group of Englishmen into the service of the Muscovite government. The fleet of galleys which the czar was so keenly interested in creating during the time he possessed Narva were largely designed and built and partly officered by Englishmen. In 1572 sixteen of the officers of the galleys were English.[2]

The company continued to make use of both routes to Russia. The northern route had the advantage of independence, and moreover for a long time the company possessed the monopoly of imports through the White Sea against all other nations; while notwithstanding the greater proximity of Narva the company could only claim to exclude other Englishmen from that port, not men of other nationalities. But there was seldom any long period when the company was sure of its advantages. During the period between 1576 and 1588 this route was twice threatened. Denmark had long been jealous of the annual voyages of English vessels around her Norwegian dominions and the North Cape, invading what she considered her monopoly of the north. Moreover it would be to her advantage if all English trade to Russia should go through Narva, for she could then collect her Sound dues from all the vessels of the company as they passed into the Baltic. Relying upon certain old treaties by which he declared England bound herself not to sail beyond Helgaland and Finmark, the northwestern provinces of Norway, the king of Denmark wrote to Elizabeth in March, 1576, protesting against a continuance of the trade to Russia by way of the White Sea. After continued correspondence

[1] Christian Hodsden and William Burrough to the Czar July 15, 1570, Hakluyt, iii, 167–9; *Cal. State Papers, Dom.*, 1547–80, 523.

[2] William Smith to James Woodcocke, May 15, 1572, Wright, *Queen Elizabeth and her Times*, i, 416–22.

a conference was held between English and Danish envoys at Hamburg in 1577, but no agreement was reached. After that almost every year the Danish king renewed his protest. The merchants appealed to the queen not to yield to these demands, pointing out that the trade directly to St. Nicholas was free from serious danger of interruption from any other nation, whereas if it were given up and the trade all diverted to Narva, the king of Denmark by closing up the Sound could cut off this trade entirely, thus depriving England of the ship stores and other supplies she obtained from Russia, ruining the company and arousing the hostility of the czar. The long voyages to St. Nicholas also created a demand for ships and sailors that would be sorely missed. A trade of some proportions had also grown up in salt fish, oil and caviar between England and the two Norwegian towns of Cola and Wardhouse, halfway on the journey to St. Nicholas, and this would have to be sacrificed. This dispute ran on until 1583 when the king of Denmark finally agreed to allow the Muscovy company to pass along his northern coasts to St. Nicholas on payment of one hundred nobles a year. The matter was destined to come up again in connection with later disputes.[1]

The king of Sweden likewise at about the same time proposed an abandonment of the White Sea route in favor of trade through the Baltic, although his alternative was very different from the Sound route contemplated in the king of Denmark's protest. In 1581, Sweden captured Narva from the Russian czar. The king thereupon suggested to Elizabeth that the trade with Narva should be continued to the exclusion of the far northern trade, and that goods for England should be taken from Narva across the sea to Stockholm in Baltic vessels, there unloaded, and making use of the inland lakes and rivers of Sweden, carried in boats as near to the western coast as possible, transshipped for the short

[1] *Cal. State Papers, Foreign*, 1577–8, 28, 29, 171, 1582, 551; *State Papers, Dom., Elizabeth*, ccxxiii, 51; *Cotton MSS., Nero B*, iii, 184–201; Morgan and Coote, *Early Voyages and Travels to Russia and Persia*, 344–351.

remaining portage, then gathered up by English vessels at some port on the western coast of Sweden. Against this scheme the merchants protested still more vigorously. The route was a new, doubtful and expensive one. The king of Denmark would be deeply offended, since it would decrease his Sound dues, and he might easily injure other English traders to the Baltic, and even attack this trade at certain exposed points. The czar would feel himself equally injured by the cessation of direct English commerce with his dominions and might inflict great loss on the company's property before it could be removed from Russia. It was not at all certain how long Narva would remain a Swedish possession and if Russia recovered it England as a punishment for her desertion would be excluded from both ports and see her valuable Muscovy trade go into the hands of the Flemings. This negotiation seems to have been dropped, and the net result of all the proposals was that the trade with Russia continued along its old lines. It was at this time, however, apparently, that an old search for a shorter passage through Russia was resumed. As early as 1566 Thomas Southam was sent in what proved to be a six weeks' journey by river and overland from St. Nicholas to Novgorod, then in the last years of its greatness. Now Burrough was sent from Narva to St. Nicholas by land, river and bay, thence to Moscow, and overland and by river again to Narva, in the effort to seek for some combination or variation of the old routes.[1]

By 1586 the Muscovy company had reached a crisis in its history. Its career on the whole had been successful. It was estimated that the charges of the first discovery, the erection of warehouses, the gifts so widely bestowed in Russia, and the losses entailed by the malfeasance of some of the early officials amounted to £80,000, equal in modern value perhaps to $2,000,000. But a series of profitable years of trade had done much to justify this expenditure. The

[1] *Lansdowne MSS.*, xxxvii, 192; Hakluyt, iii, 207, 210; Morgan and Coote, 190–206.

original investment of £25 by each of the subscribers was increased in successive stages until in 1564 each share cost £200. Although the continuous financial records of the company have been destroyed, it is evident that the voyages of certain years between 1560 and 1580 brought great profit to the shareholders. In 1574 the earl of Leicester declares that he would invest £10,000 in the voyage of that year if he had it available, and commiserates Shrewsbury for having such a small venture in it.[1]

Some of the standing difficulties of the company were however increasing. One of these was the intrusion of interlopers. The early struggles to protect the trade at Narva against their own countrymen have already been described. About 1580 the Dutch appeared in the White Sea as rivals. It was said that they had been induced to come by some dissatisfied English servants of the company. However that may be, they had made their way around the North Cape and were trading at Cola in 1578. Two years afterward a certain John de Waal established himself at the bay of St. Nicholas and remained a hated rival to the English for eleven years. Year by year other countrymen of his came in and not only secured a share of the trade but intrigued against the English at the czar's court. In 1594 Barentz took up the work of exploring to the eastward that had been laid down by the English some years before, and in 1595 and 1596 other Dutch expeditions were sent to Nova Zembla and the Kara Sea. They had no more success than Burrough, Pet, Jackman and other English captains, but the Dutch merchants and navigators became constantly more familiar with the northern coasts and harbors, renamed capes and islands that the English had already placed on the maps and laid the foundations for the struggle for the whale fishery that marked the early decades of the next century. Flemings and Frenchmen also came in as traders. The English merchants no longer had the influence at the czar's court which enabled

[1] Leicester to Shrewsbury, Dec. 6, 1574, Lodge, *Illustrations of British History* (ed. 1791), ii, 125; Scott, *Joint Stock Companies*, i, 19, 22.

them at an earlier period to preserve the monopoly of all the White Sea trade.[1]

The company had as much difficulty with the private trading of their own servants as with the intrusion of outsiders. Since their trade was administered on a joint-stock basis, purchases and sales made on private account by servants of the company were injurious to this common interest. Business the profits of which might have belonged to the company was diverted from them; their agents competed privately with the public interest of their employers, thus reducing the price of what the company had to sell and increasing the price of what it had to buy. As one of their employés said, "pryvie traffique is so odious to them as a toade." Their men in Russia were sworn not to engage in any such practices, and the apprentice whose expression has just been quoted, having good reason to believe that his private ventures in hides at Kazan and Astrachan had been discovered, writes to his friends there warning them to be careful, and suspects that for himself when sent back to London, he will be imprisoned if not hung. "If I escape Wapping, I will at least see Newgate."[2] The shipmasters whose vessels the company hired to take their goods to and from Russia were put under bonds, often of as much as £300 apiece, not to carry on any private trade. To their principal agents the company allowed a certain extra share in the profits in addition to their salaries, to induce them to refrain from private negotiations. On the other hand the employés of the company were dissatisfied. As early as 1568, some of them wrote to Burghley from Moscow charging the company with being "most greedy cormorants," charging extortionate prices for English goods and tyrannizing over their agents and artificers. There came gradually to be many Englishmen in Russia no longer in the employ of the company, over whom control was very slight, and these were often in collusion with

[1] *Additional MSS.*, 33,837, fo. 72–7; Lubimenko, *Les Marchands Anglais en Russie au xvie Siècle*, *Revue Historique*, cix, 14–17.

[2] Richard Ralphe, Aug. 12, 1584, *Lansdowne MSS.*, xlii, 69.

the company's servants or the shipmasters. The queen was finally petitioned to order all English traders in Russia to come home except such as had a license from the company or were in the company's employ. But notwithstanding these devices and constant espionage such intrusion on the company's chartered rights was constant.[1]

The expenses of ambassadors which have been before alluded to were a steady drain on the company's funds. At one time the members calculated that they had paid £4500 for the entertainment of three successive envoys. The embassy of Richard Lee cost them £2057. There were besides the constant casual losses. The destruction of the company's house and goods at Moscow in 1571 has already been mentioned; in 1580 a vessel was wrecked, causing a loss of over £4000; some time afterward a cabin boy carrying a lighted candle into the hold of the company's ship the Susan, just as she was about to sail from Tilbury, dropped it on a pile of oakum and caused a fire that destroyed the whole cargo of the ship, entailing a loss of £3000. Captures by pirates, losses by accident on land and sea, bad debts, seizures by the czar or his officials all reduced the profits of the company. In 1583 it is spoken of by a competent observer as "on very ticklish terms."[2]

But the greatest danger of the company was the loss of its favored position in Russia. If they had been simply a group of foreign traders carrying their wares into that country they need not have been so deeply affected by the political conditions that surrounded them. But they claimed a privileged, semi-political position quite different from that of any other foreigners in the czar's dominions. They sought and, as has been pointed out, at times possessed a monopoly of Russian

[1] *Acts of the Privy Council*, xxv, 518; *Cal. State Papers, Foreign*, 1566–8, 463.

[2] Lubimenko, *Les Marchands Anglais en Russie au xvie Siècle, Revue Historique*, cix, ii *Lansdowne MSS.*, cxii, 122; *State Papers, Dom., Elizabeth*, ccxxxviii, 129; Christopher Carlile, *Summary Discourse . . . to Satisfie Merchants of the Moscovian Company*, Hakluyt, *Voyages*, vi, 81; Hakluyt, *Discourse Concerning Westerne Planting, Doc. Hist. of the State of Maine*, ii, 16.

foreign trade, freedom from all taxes and a group of local franchises for their establishments in various Russian cities. They were given this privileged position by the czar largely in the hope that they might bring him into closer political relations with the powerful mistress of their distant country, and their position reflected the advance and decline of such hopes on his part. So long as Ivan IV lived there was no complete break in negotiations. The very year before Ivan's death he had sent over an ambassador, Pissemsky, and on his return Elizabeth had despatched along with him Sir Jerome Bowes, with a great retinue, as her envoy to the czar. Bowes was in Moscow when the death of Ivan occurred, in April, 1583, and his son Theodore became emperor. The new czar was opposed to the pretensions of the company. Early in his reign he sent out letters of privilege allowing merchants of all countries to come freely to Russia. He wrote also to Elizabeth asking her to allow all her subjects, not merely members of the company, to trade in Russia.

The company made a strenuous effort to reëstablish its prosperity. In 1584 they sent over a new agent with several assistants to replace inefficient or dishonest servants, took especially vigorous steps to put a stop to private trading, closed some of their agencies, and announced that no representative of the company would be retained in one position more than two or at most three years, increased the wages of their employés and required from them a new oath of faithful service. In June the company obtained license to send £15,000 abroad in specie so that they might buy more advantageously.[1]

In 1586 something like a reorganization of the company took place. To understand this it is necessary to pay some attention to the financial practice customary at this time. The Muscovy company was always, as has been stated, a joint-stock company. The members are frequently described as men who "traded with one entire and common stock,"

[1] Richard Ralphe, Aug. 15, 1584; *Lansdowne MSS.*, xlii, 69–70; *Hist. MSS. Comm.*, 4 Rep. 222; *Cal. Hatfield House MSS.*, iii, 35.

or at one period as "Sir William Garrard and the company joined with him in common stock." But the stockholders at any time were not synonymous with the company. Members of the company were those who had inherited membership or secured it by a period of service or by payment. The stockholders were a changing body among these members. Every year or two, or at most every three years, at a general meeting of the whole company, held in Muscovy House, a committee of the more prominent members was appointed to audit the books and make an estimate of the property of the company. This committee reported at a subsequent meeting, and a general valuation of the "estate" of the company, its goods, warehouses, running accounts in England and Russia and other assets and liabilities was determined on. This property was thereupon offered for sale at this price, divided into shares, to any members of the company who cared to make an investment. These put down their names as adventurers for a new period, with the amount of the investment they were willing to make. The subscriptions must be paid by a given time and the old stockholders were either paid off or had their accounts transferred from the old books to the new joint stock. The old books were then closed up. Each such "adventure" or "voyage" was known by one of the letters of the alphabet, *A*, *B*, *C*, and so through the whole series till a new one was begun. The object of this frequent change of stock seems to have been to give opportunity for all members of the company to enter into adventures and to bring in new capital, as well as to allow those who wished to do so to retire. Usually the amount estimated as the value of the old joint stock was enough to pay to the old shareholders the value of their capital and a certain percentage of profit. For instance, in 1585 when *N* was sold to *O*, the amount paid by the adventurers in *O* to the adventurers in *N* gave the latter the par value of their old stock and £8, 17*s*, 8*d* on each £100 invested, as profit, beside. At this time among the items turned over from *N* to *O* was £9,500, 2*d* in running accounts in England, and £21,960, 8*s*, 10*d* in

Russia. At another time, venture *G* was sold out to *H* at the amount of the capital and 28 per cent profit; though a dissatisfied member of the company declared that the valuation was too high and that "the committee's last opinion would prove a guilt pill and would make rich bookes but poore purses." The stockholders in *H*, however, sold St. Botolph's wharf, which had been transferred to them from *G* at £500, for £2000, so they may not have made such a bad bargain after all.

The practice of the company does not seem to have been consistent in one very important step in the procedure just described. Sometimes the transfer from one venture to the next was supposed to settle up all accounts, and subsequent gains or losses, even on the score of old operations, were charged to the new account. At other times, apparently, later realizations on earlier accounts were charged back to the old stockholders. This occurred in 1588 when the value of *O* was transferred to *P* at a supposed profit of 11 per cent, but was subsequently charged with losses which transformed the operation for the shareholders of *O* from a gain to one involving a loss of 14½ per cent. Similarly in another case a later gain of £2208 was transferred to the account of an earlier adventure. It is to a dispute on this question in the court of exchequer, long afterward, with its record of interrogations and depositions according to equity forms, that we owe this glimpse into the early business methods of the company.[1]

During the years just preceding 1586 the stockholders usually numbered about eighty, many of whom held minor shares. Notwithstanding all efforts operations were not profitable, many losses occurred, and the dissolution of the company was anticipated by many. The reorganization of 1586 seems to have consisted in the agreement of the company to transfer the stock of that year to twelve of the more wealthy

[1] *Lansdowne MSS.*, cxii, 130; Francis Cherry to Robert Cecil, May 20, 1595, *Cal. Hatfield House MSS.*, v, 462; *Pub. Rec. Office, King's Remembrancer, Exchequer Depositions, Hilary Term*, 22, Jas. I, No. 19, *Interrogations for Defendant, Items*, 3–7, 9, 11, 14, 24, *Interrogations for Plaintiff, Items*, 3, 5, *Deposition of Rich. Swift, Items*, 4, 11.

members of the company at twenty-five per cent of its face value, for a three year term, the new company binding themselves to pay all debts as well as receiving all profits. The leading members of the company, who thus became the stockholders, were charged in a complaint to the queen with having carried the reorganization through against the will of the smaller men, but they brought it up again at a full meeting of the general court of the company in Muscovy House on the 8th of April, 1586, where Governor Martyn presided, and after full consideration the meeting confirmed its former ordinance by a show of hands. The leading part in this reorganization seems to have been taken by Francis Cherry, who had been brought up in the company's service in Russia and was later for thirteen years in the employ of the czar. Aldermen Barnes, Bond, Martyn, Harte, Saltonstall and other solid merchants of London were among the twelve new adventurers. Somewhat later there were fifteen directors and about 160 members of the company at large.[1]

There was much interest in efforts to extend English trade and the government gave such assistance as it could to the reorganized Muscovy company. The privy council gives a special passport to Cherry going out as agent in 1586. Prominent members of the council are consulting in 1587 how new openings for the sale of cloth can be found in Muscovy and Turkey. A moderate body of privileges was obtained from the new emperor in February, 1587. In 1588 Giles Fletcher was sent over as ambassador. He returned in 1590 and published his book on the "Russe Commonwealth" in 1591. The company had already fallen into dispute with Fletcher as to his expenses and they now protested to the queen against his book, fearing that his severe comments on the Russian government would anger the czar and endanger their newly recovered privileges.[2]

[1] *Lansdowne MSS.*, xlviii, 80; Francis Cherry to Robert Cecil, Nov. 20, 1595, *Cal. Hatfield House MSS.*, v, 462 B; *Commons Journals*, i, 220.

[2] *Acts of the Privy Council*, xiv, 73, xix, 229; *State Papers, Dom., Elizabeth*, cci, 15, ccxxx, 132–3; *Cal. State Papers, Dom.* 1581–90, 403; Bond, 281.

By this time however most of the difficulties in Russia had been smoothed over, there was a long series of letters to and fro between Elizabeth and Burghley on the one side and Emperor Theodore and Boris Godunoff on the other. By the autumn of 1591 the two governors of the company could report that the emperor's inclination was now very favorable to the company, although the old dispute about Horsey was not completely settled until long afterward, and new subjects of dissension came up from time to time between the two governments.[1]

The most that is heard of the company from this time forward is its constant petitions to the government for payment for the cordage it was supplying to the navy. It furnished during the last decade of the century some £10,000 to £15,000 worth yearly, but was always one or two years in arrears, and in financial straits because of the delay in payment. Occasionally the wreck of a Muscovy company ship, or a recrudescence of the old disputes with the Danes, or a request to bear the expense of despatching an ambassador brings the company into momentary mention, but in the main it has left little impress on the general records of this later period, and was certainly not relatively so prominent at the end of Elizabeth's reign as in the year of the Armada.[2]

In the very last year of the reign, however, one of the wealthy members of the company sent a vessel by way of Cola on an exploring expedition to the northward. South of Spitzbergen they discovered the island now known as Bear Island but which in honor of the principal adventurer was then named Cherry Island, and to which afterwards for a number of years expeditions were sent to obtain walrus ivory and later to capture whales, thus giving to the company another field of activity. The claims of the company to the monopoly of this trade brought into existence a bitter contest with the Dutch. But this contest, as well as the long career

[1] Hakluyt, iii, 419–445; Wright, *Queen Elizabeth and her Times*, ii, 446; *State Papers, Dom., Elizabeth*, ccxl, 65, 70.

[2] *Cal. Hatfield House MSS.*, vi, 571, vii, 484, 504.

which has connected the Muscovy company of the sixteenth century with the Russia company which still retains its organization and at least some of its functions, lies beyond the confines of this work.

In the meantime direct trade between England and the Baltic had been taking on constantly greater proportions. Visits of English merchants to the coasts and ports of that sea date back certainly to the fifteenth century. But this trade only became extensive after the middle of the sixteenth century. This increase was closely connected with the rise of the English navy. English forests were already so far depleted, and her productions so far restricted by nature or by lack of knowledge on the part of her people, that for masts and yards, tar and turpentine, cables, hemp and flax, she had to go either to Russia, as has been seen, or to the Baltic. Even iron was largely imported. Nitre for gunpowder and strings for bows, the requirements for the new and the old warfare, were alike brought habitually from the Baltic. The centre of this trade was at Dantzig. While a great part of the equipment for the queen's navy was being purchased from the Muscovy company, a succession of agents of the English admiralty, William Watson, Thomas Allen, Simon Farmer and Francis Cherry, from 1555 to the end of the century, were either sent from time to time, or regularly stationed at Dantzig to purchase additional naval supplies for the dockyards. In 1555 a number of private merchants also had agents in Dantzig engaged in buying all the hemp rope they could find, and in employing rope-makers to make them a new supply in readiness for the coming of their ships. Such naval stores were a constant occasion for Baltic commerce.[1]

England's rapidly growing population and her increasing devotión to sheep farming rather than grain raising left her in many years with an insufficient supply of grain for her own

[1] *Cal. State Papers, Dom.*, 1581–90, 24, 26, 701, 1598–1601, 27; *Cal. State Papers, Foreign*, 1553–8, 375; *Acts of the Privy Council*, v, 236; 25 *Rep. Deputy Keeper Pub. Rec.*, Appendix ii, 23–4.

people, and this also was brought, then as now, from the grain raising shores of the Baltic. As the century wore on scarcely a year passed without the importation of large amounts of wheat and rye from the Baltic. The English garrisons in the Netherlands were in part at least provisioned with corn brought from the Eastland ports.[1]

In the other direction, the numerous populations of the Baltic towns made good customers for English cloth. Many of the same merchants as were members of the Muscovy company and interested in its ventures also sent shiploads of kerseys and other cloths to Danzig and other ports in Poland, Sweden, Pomerania and Mecklenburg. Most of this trade between England and the North German and neighboring cities was in the possession of the German merchants themselves, and they did not lose control of it without a struggle. This long half-mercantile, half-political contest, involving the Hanse League and the Merchants Adventurers, must be described later. The fact that much of this trade had to pass through the narrow Sound controlled by Denmark makes it a factor in the difficult history of the diplomatic relations between England and that country, which will also enter into the later discussion of the relations between England and the Baltic regions. But apart from these contests, the entrance of English merchants into this neighboring and natural domain of trade was, after the middle of the sixteenth century, inevitable. The amount of trade was steadily increasing. The opening of Narva in 1560, as has been seen, gave them entrance to new inland districts of Russia; the war between Sweden and Denmark, from 1563 to 1570, offered opportunities for the carrying of munitions of war to one if not both parties, none the less attractive or profitable because it was illicit. Sovereigns of the Baltic states in their desire to get rid of the domination of the Hanse offered

[1] Wheeler, *Treatise of Commerce*, 23; *Cal. Hatfield House MSS.*, vi, 377; *State Papers, Foreign*, 1562, 435, 1581–2, 650; *Cal. State Papers, Dom.*, 1581–90, 336, 1591–4, 115, 1595–7, 442; *Hist. MSS., Comm., Rep.* 12, App., ix, 459; Ehrenberg, *Hamburg und England in Zeitalter der Königin Elizabeth*, 150.

special facilities for trade; and the growing demand for Baltic goods in England united with the increasing pressure for the sale of English manufactures abroad to increase the activity of English merchants in that region. Before the year 1588 more than a hundred English trading ships yearly sought the Baltic.[1]

The merchants engaged in this trade did not long remain an exception to the prevalent and ever extending practice of organization of commerce under chartered and regulated companies. The whole spirit of the time favored supervision, organization and control, and there was but little disapproval of the monopoly that necessarily accompanied such regulation. No body of trade carried on at any considerable distance and under one set of conditions remained during this period for any long time free from control through the formation of a company with more or less extensive chartered rights.

The occasion for the formation of a Baltic or Eastland company came in the form primarily of compulsory common responsibility of the English Baltic traders for certain losses due to English piracy. About Easter in the year 1577 two English pirates, Hicks and Callice, captured the ship of a Dane named John Peterson, having on board a cargo worth £1300, carried it into England and disposed of both the ship and her lading. Peterson protested to the English government against this injury, the Danish government interested itself in the matter, and eventually the pirates were captured and the ship restored. But the goods had been scattered and could not be reclaimed. The privy council thereupon provided for the recompense of Peterson by handing over to him until he should have been fully reimbursed all the fines to be imposed upon those proved by a commission recently appointed for the purpose to have been guilty of dealing with pirates. But the first collection of such fines

[1] Neva R. Deardorff, *English Trade in the Baltic during the Reign of Elizabeth, University of Pennsylvania Studies in the History of English Commerce in the Tudor Period*, 219–247.

only amounted to £200, as against Peterson's claim of £1300. He was dissatisfied and again had recourse to his government.

The Danes were in a particularly favorable position to put pressure on other commercial nations, for all vessels bound to the Baltic had to pass through the narrow Danish Sound, "as through a turnstile," and in order to get in or out of the Baltic must submit to such terms as the Danish king chose to impose. England was already engaged in a controversy concerning the Sound dues and was not anxious to embitter the dispute or to call forth reprisals. The privy council in the summer of 1578 then hit upon the following device. They arranged for the listing of all such merchants of London, Hull, Ipswich, Harwich and Newcastle as habitually traded to the Baltic, and required them immediately to pay Peterson his demands, receiving in return, in the course of time, repayment from the treasury as the fines on dealers with pirates should come in.[1]

Once having made use of this plan it lent itself to other purposes. The queen was about to send ambassadors to Denmark to settle the existing controversies, and the council wrote to the lord mayor ordering him to summon the merchants of London interested in the Baltic trade and order them to contribute £200 toward the expenses of this embassy. It was evident that the Baltic merchants would suffer most from Danish reprisals, and also that they were most interested in the settlement of disputes with Denmark. It was not unnatural therefore that they should be looked to to meet the expenses of the settlement. The response of the "marchauntes trading with the East partes" to these demands was a somewhat grudging acquiescence. They promptly followed up this assent, however, with a request for certain privileges. Some time during the winter of 1578 they drew up a formal petition to the queen for letters patent making the petitioners a fellowship and giving them a monopoly of this trade.

[1] *Acts of the Privy Council*, x, 57, 83, 193.

At first there was some opposition on the part of the Merchants Adventurers and the Spanish Merchants, but this was overcome, and on August 27, 1579, the charter was granted. The official title was the "Governor, Assistants and Fellowship of Merchants of Eastland," but like the Russia or Muscovy company it came to be commonly known by a shortened form, the Eastland company. Its members were given the monopoly, so far as Englishmen were concerned, of the whole trade of the Baltic except that with Narva, which belonged to the Russia company, and that with the southwestern coast of the Baltic, which they must share with the Merchants Adventurers. The sixty-five charter members included the Bonds, Pullisons, Osbornes, Stapers, Wilfords, Hoddesdons, and other prominent London merchants, many of them already members of the Merchants Adventurers, Muscovy and Spanish companies. They were bound to admit immediately any other English merchants who could prove that they had been trading to the Baltic within the last ten years, and others in the future who should pay a proper initiation fee. The internal organization was practically identical with that of the Muscovy company, already described, and the powers and privileges of the company were extensive, including that of governing absolutely the Baltic trade and enforcing its rules on both members and outsiders, both in England and abroad. These provisions made the officers of the company the court of last appeal in matters of trade falling under its jurisdiction, and in 1580 the queen forbade the court of queen's bench to take cognizance of any appeals from their decision in such matters. All merchants going to the Baltic were required to give bonds to unload their goods at the mart town determined on by the company. This was not, however, a joint-stock company, as was the Russia company. Each member in his trading merely submitted to the regulations and enjoyed the privileges of the company, and joined in such payments as were required for the common needs.[1]

[1] *Acts of the Privy Council*, xi, 378; xii, 207; *State Papers, Dom., Elizabeth*,

After this somewhat anomalous origin the Eastland company entered upon a career of activity comparable with, though not so extensive as that of the Muscovy merchants. It had no ever recurring projects of exploration to carry out and no opportunity to seek markets in the far east or south. But within the Baltic and in English relations with the countries bordering on that sea, it played a large part. The queen consulted the Danish government in 1579 before giving the company its charter, and with most of the subsequent negotiations with Denmark it was more or less closely connected. In 1580 the company settled upon Elbing in Poland as its mart town, and through the queen made treaties with the magistrates of the city and the king, guaranteeing its position there. The company was subsequently drawn constantly into the English relations with that sovereign. The diplomacy which was intended to block the efforts of Spain to obtain the alliance of the northern powers in her contest with England was frequently guided by the Eastland company. The company was regularly charged with the expenses of English embassies sent to the Baltic countries and was usually required to entertain their envoys when they arrived in England.

As might have been anticipated from the circumstances of the origin of the company, questions of piracy continued to be a matter of interest. The depredations of English pirates like Hicks and Diggory Piper on ships and cargoes coming from the Hanse towns and Denmark, had frequently to be indemnified to their owners by the Baltic company. On the other hand the company sought and obtained the support of the government in tracing out and prosecuting the supporters and abettors of pirates.[1] As time passed on the affairs of the Eastland company became so intermingled with those of the Merchants Adventurers and with the diplomatic

cxxxi, 70; Maud Sellers, *Acts and Ordinances of the Eastland Company*, 142; Deardorff, *English Trade in the Baltic*, 248–256.

[1] Deardorff, *English Trade in the Baltic*, 265–285; *Acts of the Privy Council*, xiii, 401, xxvii, 302–3; *Harleian MSS.*, 4943, 73.

negotiations with Poland, Sweden, Denmark and the Empire that their later history will have to be postponed, as already intimated, until the general relations between England and the north can be treated in a separate chapter treating both of trade and politics.

CHAPTER XVI

THE NORTH-WEST PASSAGE, NEWFOUNDLAND AND VIRGINIA

SUCH were the activities of English navigators and merchants in the north-east. During the two decades just preceding the Armada a still bolder, though less fruitful series of efforts were being made in the north-west. In the middle of the sixteenth century it was a commonplace in England that if she planned to seek China, India and the great trading lands of the east, it should be in the northern hemisphere and as nearly in her own latitude as possible, where the distances were shorter and where she would be free from the obstacles that might be thrown in her way by Spain and Portugal. Following on the unsuccessful exploration eastward made by the Muscovy company, a series of voyages were made to the north-west, with which the name of Frobisher is indissolubly connected. Martin Frobisher was a Yorkshireman of good family, brought to London in his youth, educated and sent on trading voyages by a kinsman, a prominent London merchant. He became interested in the explorations and cosmography of the day, read widely in such fields, and by 1560 had convinced himself that China and the East Indies could best be reached by sailing to the north-west. For years he tried to induce some wealthy man or men to provide the necessary means for such a voyage, and at last in 1574 succeeded in obtaining the requisite funds and a license from the crown to make the attempt. His principal patron was Michael Lock, a London merchant who had spent much time and money in collecting books, charts, and apparatus for geographical study. Lock was a member of the Muscovy company and it was probably due to their

experience that he took into consideration a second possibility of profit. He not only had a "great hope to fynde our English seas open into the seas of East India," by a north-west passage, but believed that even if such a passage was not found, new lands would be discovered where products of the north could be obtained, just as had happened in Russia during the search for a north-east passage. Ambrose Dudley, earl of Warwick, and Burghley himself gave Frobisher their countenance at court.[1]

An obstacle that needed to be overcome before any independent voyage of exploration to the north-west could be made was the chartered monopoly of the Russia company of all "search for new trades" to the northward, north-eastward and north-westward. In view of this difficulty, in 1574 the privy council was induced to order the Russia company either to resume their exploration, now for some time suspended, or else to give permission to others to undertake it. The company demurred and insisted that they had already discovered more than half the distance to China by the north-east, and intended shortly to resume the work. Nevertheless under pressure from Burghley and the council, in February, 1575, they granted in full court a license to Frobisher and the other adventurers to undertake the north-west passage.[2]

When £75 had been collected, two small barks, the Gabriel of twenty-eight tons, and the Michael of twenty tons, and a pinnace of ten tons were bought and equipped with food, ordnance, charts, instruments and a small amount of merchandise. On June 15, 1576, the little fleet sailed down the Thames, the queen waving her hand to them from a window in the palace at Greenwich, and sending Secretary Wooley and another gentleman aboard with her wishes for their happy success, as Edward VI had done for Willoughby and Chancellor on their way to the north-east twenty-three years

[1] *Cotton MSS.*, Otho E., viii, 46, quoted in Richard Collinson, *The Three Voyages of Martin Frobisher*, Hakluyt Society, 80.

[2] *Cotton MSS.*, Otho E, viii, 41, quoted in Collinson, ix–xii, 89.

before. They sailed northward around Scotland and then westward, till on the twentieth of July they sighted a lofty promontory which Frobisher named Queen Elizabeth's Foreland. On the way the pinnace with three men sank and the crew of the Michael lost heart in a storm and returned to London. So it was with one little vessel of twenty-five tons that Frobisher reached and followed northward the Labrador coast, "full of monstrous high ilands and mountayns of ise fleting and driving with the wyndes and tydes." [1]

After various adventures they discovered an opening in the land into which they sailed and going ashore and climbing a hill saw at the far end of a broad strait two headlands with open water between and beyond. A great tidal current was flowing at the time from this opening, and desire made belief easy; so the explorers decided that they had found what they were seeking and that the water beyond the headlands was "the West Sea whereby to pass to Cathay and to the East India," and named the opening in which they lay Frobisher's Strait. It was, as later exploration has shown, merely one of those long fjords which reach far up into the great island which forms that part of the coast of North America, and is now more properly known as Frobisher's Bay. They must have passed during the night or in fog the strait that lay just south, which would have carried them hundreds of miles further westward, into Hudson's Bay, and which has eventually proved to be the first stage of a very different north-west passage from that which Frobisher and his companions were expecting to find. The explorers had still earlier crossed without special attention the waters which it was later learned lead far up toward the Arctic Ocean and the north pole.

They found Eskimos, observed their Tartar-like faces, skin clothing and boats, and thought they had made a bargain with one of them to act as pilot by paddling his kyak before them through the strait to the West sea, which they estimated would require two days. He probably did not

[1] *Cotton MSS.*, Otho E., viii, 46, quoted in Collinson, *The Three Voyages of Martin Frobisher*, 82.

have the least idea of their meaning nor they of his. Instead of acting as friendly guides the Eskimos took advantage of an opportunity when five of the sailors were on land to seize them and their boat. When these could not be found or reclaimed, one of their men was captured in retaliation, Frobisher himself pulling him into the vessel, canoe and all. Their best boat lost, only thirteen men remaining and they tired out with their labors, the location of the strait that led to China being discovered and its further exploration safely to be left till another year, the voyagers turned homeward, skirted the ice-bound Greenland coast and reached the Thames in October, less than four months from the time of their sailing.[1] The narrow North Atlantic and the quick voyage that might be made to the northern regions of America, contrasted with the vast distances that must be traversed to reach the south seas, and the year long voyage that the Portuguese must make around the Cape of Good Hope were a perpetual inducement to the English to continue the search for trade by northern routes.

Frobisher was immediately sent for to court and made to recount his adventures to the queen and councillors. The queen suggested that the newly found land should be called Meta Incognita, a cumbrous and pedantic name that long appeared on the maps and in the narratives of northern discoveries. The news spread widely and Frobisher received all the adulation habitually paid to successful discoverers. At least two accounts of his voyage were published almost immediately, and one of them was translated into French and Spanish. So important was the discovery considered that the privy council strove to prevent the publication of the Spanish account on the ground that it was a betrayal of valuable secrets to the national enemy.

The discussions of Frobisher's exploit soon turned from Eskimos, ice and snow, and open passage ways to the western seas to still more exciting possibilities. Fortunately or

[1] *A True Discourse of the Late Voyage of Discoverie*, Hakluyt Society, Collinson, *The Three Voyages of Martin Frobisher*, 69–87.

unfortunately when he had been on one of the Arctic islands he had picked up a heavy piece of stone and carried it home with him as a memento. A few days after his return, when a number of visitors were on his vessel, he gave this stone to Michael Lock in jocular fulfilment of a promise he had made to give him the first thing he should find in the new lands he should discover. Others who were there broke off fragments as keepsakes. The possibility of gold was always in the minds of men of the sixteenth century and pieces were submitted by some of the possessors to assayers to test. Most of the reports seem to have been adverse, but one refiner, an Italian named Agnello, secretly brought to Lock some gold which he declared he had extracted from the ore that had been given him. Lock reported this to the queen as being a matter of importance to the crown, and a number of conferences took place between him and Walsingham on the subject. There were also stories of a lady who had thrown a piece of the rock on the fire, then cooled it with vinegar, and obtained as a result a nugget of pure gold. The rumor soon spread that a gold or silver mine had been discovered and men and women pressed forward anxious to become adventurers in a second voyage. The queen herself offered £1000, Burghley, Walsingham, Howard, Leicester and most of the other members of the privy council subscribed sums of fifty or one hundred pounds, several noblewomen and such well known men as Sir Philip Sidney, Thomas Gresham, John Dee, and Anthony Jenkinson were among lesser investors.

The formation of a company, to be called the Company of Cathay, was immediately planned and a charter drafted. This gave the most extensive powers of self-government and the widest political privileges so far granted to any commercial company. The adventurers of the first expedition were to be a sort of aristocracy whose membership should descend to their children and children's children without further payment. The adventurers of the second expedition were to be admitted on payment of £30, and later comers on payment of £200. After the admission fee had been paid,

£100 was to be the cost of each share, and the old stock was to be closed out, dividends paid and new stock established every three years. Lock was to be governor for the first three years and Frobisher to be captain-general and admiral of the ships and navy of the company for life. He and Lock were each to have one per cent of all the profits of the company during their life as a reward for their efforts in the first expedition. What the region to be controlled by the company lacked in definiteness it made up in extent. All countries to the westward of a north and south line through England, not previously traded to by Englishmen, were to be within the monopoly of the new company, and this monopoly was to hold against foreigners as well as Englishmen, — an anticipation of later colonial policy. Whether the Cathay company actually obtained its charter and whether it was formally organized or ever held any meetings, is not certain. A location for its warehouse, offices for its servants, and a company mark similar to those of the Muscovy company, which was its obvious model, were all planned. No better indication could be given of how easily Elizabethan enterprise ran into the mould of a chartered commercial company than the ready grant of such extended trading and political powers and privileges to this loose body of investors, with no organized trade, no known material for trade, and no location for trade better defined than a mythical strait and a supposititious mine in a region that could be described only by points of the compass.[1]

The Gabriel and Michael were refitted for the second voyage and the queen gave the use of the Aid, one of the ships of the royal navy. The preparation and the instructions, although providing for an exploration of the strait some fifty or a hundred leagues further than the year before, and, in certain contingencies, for a voyage all the way to China, were in the main directed entirely to the exploitation of the mine and the loading of ore to be brought back to England. Mariners engaged from the

[1] *Cal. State Papers, Colonial, East Indies*, 1513–1616, 29–31.

western counties where mining was familiar made up a considerable part of the crew, two assayers were taken along, and rough and dangerous work was provided for by taking a number of condemned men from the jails in commutation of their sentences.[1] The expedition got off earlier than in 1576. By the middle of July Frobisher and a gallant company of gentlemen, soldiers, mariners and workmen had landed in "Meta Incognita," piled a column of stones on the top of a high hill, which they named Mount Warwick, and planted an ensign upon it, all kneeling for prayers while the trumpet "sounded solemnly." Their efforts were immediately turned to securing a cargo of the stone which they were now convinced was rich in the precious metals. The lure of gold was a strong enough incentive to induce the whole company, gentlemen, soldiers and mariners, to work together, and by the time winter threatened to freeze up their vessels in the strait they were loaded and sailed homeward.[2]

Two of the vessels soon reached Milford Haven and in due time the third arrived in the Thames. By order of the privy council the ore was unloaded from the two vessels in the western port and placed in safety in Bristol castle; that which had been brought to London was stored in Sir William Winter's house near the Tower. There was much difference of opinion among the refiners who were given samples of the ore for testing. Some as before reported that it was worthless, others gave favorable statements of its value, while all disagreed as to the best method of refining it on a large scale. Months passed away in these disputes until it was time, if another expedition was to be sent out in 1578, to proceed with its equipment. The queen and the principal adventurers, easily believing what they wished to be true, trusted to the more favorable reports, and a great fleet of fourteen vessels was soon gathered in the Thames. Three of these were to be left with one hundred men under Captain Fenton to guard the mines against depredations of the natives and

[1] *Ibid.*, 37–40.

[2] Collinson, *Three Voyages of Martin Frobisher*, 87–157.

rumored attacks from the French; while the others were to load as much as possible of the ore. This was all to be brought under guard to the furnaces which were being built at Dartford in Kent, where the ore brought by the second expedition had meanwhile been gathered. In the midst of these plans the idea of a passage to the Pacific had fallen into much neglect, and the expedition became avowedly one to bring back ore. The queen's interest in it was none the less, however, and when the vessels passed Greenwich she sent for the officers, gave them her good wishes, and herself placed a gold chain around Frobisher's neck.[1]

This third expedition suffered more severely than either of its predecessors from storms, cold and floating ice, and was driven far out of its intended course. Nevertheless it finally reached the "Strait" and from the adjoining islands secured 1200 tons of the ore and sailed homeward. The project of leaving men to spend the winter there was given up because of the loss of the timber they had taken with them to build shelters. They did however, before their return, visit a number of points along the Arctic shores, and gave the names of English noblemen, courtiers, merchants and mariners to various islands, capes and channels. Although many of these were afterwards disregarded, it is to Frobisher and his officers that are due the first of the English names which are stamped so deeply on the Arctic shores of America.

The arrival of this expedition in England was the signal for the outbreak of dissensions which had long been preparing. The adventurers were called upon to provide the additional sums needed to pay the wages of the sailors, the hire of the extra vessels and the cost of building the furnaces. While the refiners declared that they could not proceed with the reduction of the ore till flux could be brought from the north of England, the investors suspected failure and postponed their payments, notwithstanding repeated mandates from the queen. A bitter quarrel broke out between Frobisher and Lock. It became more and more evident that

[1] *Ibid.*, 187–224; *State Papers, Dom. Elizabeth*, cxix, 30, 32–45.

little if any of the ore contained paying amounts of gold or silver. Dispute and doubt continued till the whole project lapsed into the realm of failure and endless recrimination. In July, 1583, a final test was made, and two small spots on the margin of the manuscript report of the assay still show where tiny beads of silver were fastened on with sealing wax. These were the results of reducing two hundred pounds of the ore mixed with six hundred pounds of lead, and as the report says, were "no more sylver than the same leade dyd holde, as in this margent may appear." Long afterward the chronicler Camden saw the ore which had been so highly valued and brought so far with such suffering, sacrifice and expense, thrown out to mend the road at Dartford. Almost three centuries later still an American explorer gathered with pious care the fragments of the building materials and tools left by Frobisher and his companions on Countess of Warwick Island, and sent them to England as mementos of the first exploring expedition to the far north of America.[1]

The three Arctic voyages of 1576, 1577 and 1578 were a failure from many points of view, but they resulted in familiarizing Englishmen with a considerable stretch of the coast of America, they strengthened England's prescriptive claim to the possession of the region then visited, and they left unshaken the faith in the existence of a north-west passage. The men who invested their means in these voyages contributed to the expenses of many later expeditions, and several of those who accompanied Frobisher lived to go on later voyages to many parts of the world. Charles Jackman, who was an officer on two of these voyages, became, as has been described, vice-admiral of the north-eastern exploring expedition sent out by the Muscovy company in 1580. His departure from Norway westward toward Greenland the next spring was apparently an attempt to reënter upon the old

[1] *State Papers, Dom., Elizabeth*, clxi, 41; *Facsimiles of National Manuscripts, from William the Conqueror to Queen Anne*, vol. iii, lxxxii; Camden (ed. 1688), 216; Collinson, *Three Voyages of Martin Frobisher*, 225–324.

field of exploration, and his death with all his crew must have occurred somewhere near the scenes of his earlier expeditions. Frobisher, although impoverished and to a certain extent discredited by the results of the three voyages, planned another voyage next year, and was chosen two years later to the command of an expedition to be sent to the East Indies. But a search for the north-west passage was expressly excluded from the plans of this voyage, which was to go by the southward, and another commander was ultimately chosen. Instead of going on exploring expeditions Frobisher entered into the service of the queen, became commander of a ship and then of a squadron, won his knighthood at the Armada fight, took part in many naval expeditions, and died, as already described, of the wound received in the engagement with the Spanish forces near Brest in 1594.[1]

Although the search for a north-west passage was suspended for a time, discussion and even preparation by no means came to an end. Walsingham was an enthusiastic advocate of further attempts, and many of the former adventurers still retained their interest and belief in its practicability. In 1584, less than six years from the return of Frobisher from his third voyage, Adrian Gilbert, John Dee, John Davis, Walter Ralegh and their associates, principally of the county of Devon, asked for a license to discover the north-west passage and adjacent parts of North America. They were thereupon granted by the queen a charter for a new company, incorporated under the name of The Colleagues of the Fellowship for the Discoverie of the Northwest Passage. Ignoring the Muscovy and the projected Cathay company this charter granted the right to explore "the Passage into China and the Iles of the Moluccas, by the northwestward, northeastward, or northward," and gave to the members of the new company the sole right to carry on trade to any newly discovered lands on the way thither. The members of the company were to have the right to organize, meet and

[1] Hakluyt, iii, 303; *Cal. State Papers, Colonial, E. I.*, 1513-1616, 150, 155-187.

adopt all necessary rules to enforce their privileges, and to have the monopoly of exploration in those regions during the next five years.[1]

This charter was given February 6, 1584, and it was probably in pursuance of its privileges that in the next year an expedition to the north-west was organized and sent out under the command of John Davis. Although the most interested investor and organizer of the expedition was a London merchant, William Sanderson, most of the adventurers were west country men and the expedition itself sailed from Dartmouth, June, 1585. After running along the south coast of Greenland, which they named The Land of Desolation, they sailed some distance up the west coast of that country, landed and named it The Coast of the Merchants because they did some trading with the Eskimos there. Soon, however, they set off toward the north-westward, and entering the fine body of open water that in modern times is known by Davis' own name, they believed they were sailing with a clear sea before them to China. Their disappointment on meeting land again to the westward was only mitigated by finding, as they sailed southward past 66°, an entrance or passage some sixty or eighty miles wide. Entering this for a distance of two hundred miles, seeing whales swimming to the westward of them, and making various other observations which to men weary of searching seemed conclusive, they, like Frobisher, believed they had found the long-sought passage. Like him, however, they had only found the entrance to a deep bay, the body of water now known as Northumberland Inlet.

The hopeful report brought back by Davis this year guaranteed another expedition in 1586. This voyage followed the route of the former until the explorers proved to their satisfaction, or dissatisfaction, that their strait was not an open passage. They landed at various points, had much intercourse with the Eskimos and made many observations

[1] Hakluyt, vii, 375–381; *Cal. State Papers, Col., E. I.*, 1513–1616, 234–6.

interesting to later navigators. They were reminded of home by hearing the tide, as it rushed around one of the islands, "lothsomely crying like the rage of the waters under London Bridge." As they coasted far down along Labrador, more than one opening looked promising for a westward passage and they found such abundance of cod-fish that Davis felt sure that exploring might in future be done as a side issue from fishing. This was the basis of his third voyage, which sailed in 1587, like the others, from Dartmouth. Two of his ships stopped at the fishing grounds on the coast of Labrador, while with one little bark he sailed boldly northwards till he reached 73°, the "farthest north" of that period. No land was visible ahead of him, and he again thought he had reached the passage to the Pacific, but whenever he tried to make his way west he met the vast floating field of pack ice which still has to be skirted by navigators. This he was unable to pass through or beyond.

The season being late, he was forced to turn southward and sail down the coast of North America, crossing the entrances of the two inlets which he and Frobisher had formerly hoped so much from; and, as before, passing without recognition the later Hudson's Straits. Although he kept his course all the way south to the straits of Belle Isle, he did not meet with his other vessels, which had early obtained their load of fish and deserted him. Hungry, ill-equipped and discouraged, Davis turned homeward, but he carried with him a new belief in the existence of a strait to be found by the way of the open water he had observed in the far north, "a great sea, free, large, very salt, and blew, and of an unsearchable depth," as he describes it. This open water, or Davis' Strait, was later to lead men to a still further search for the north-west passage, as well as to the ultimate discovery of the north pole. But for the present exploration in this direction was suspended. The death of Walsingham soon afterward deprived this enterprise of one of its most constant supporters, and except for a single resultless voyage some fifteen years afterwards, whose short history will be told

later, there was no more exploration in the far north-east during the reign of queen Elizabeth.[1]

The American coasts somewhat further south had early become familiar through the Newfoundland fisheries. The first explorers had observed the abundance of fish in the shallow waters of the North Atlantic, and great fleets of fishing vessels from Spain, Portugal, France and England soon began to come every year to the Newfoundland banks for the cod, mackerel, haddock and halibut, the harvest of which is still annually reaped. The fishermen also visited the inlets of the coast for bait and landed on the shores for drying and smoking their fish. The English were by no means the least enterprising of these Newfoundland fishermen. By 1578 some fifty sail of English ships went regularly to the banks. In 1585 they were considered of enough importance to have a special vessel sent from England to warn them against possible seizure by the king of Spain; in 1592 they were numerous and valuable enough to justify Spain in sending twenty war-ships to the entrance of the Channel in the hope of intercepting them. In 1594 thirty-six ships of the Newfoundland fleet sailed away at one time, after they had been stayed temporarily in England by the government, and Ralegh in the same year estimated that there were one hundred sail in the "Newland" fleet, and declared that the capture of the fishing fleet by the Spaniards would be the greatest loss and disgrace ever brought upon England.[2]

Yet Newfoundland and the shores further south had already begun to exert an attraction of a far higher kind than merely as the borders of a passage to the east, a sphere of possible trade or a fishing coast. Into the interests and discussions of the small coterie of enlightened men in England many of whose names have already been mentioned, the idea of colonization had entered. Hakluyt, Dr. Dee, Michael

[1] *Voyages and Works of John Davis*, Hakluyt Society, lix, 1–59; Hakluyt, vii, 393–422, 440–51.

[2] Hakluyt, viii, 10; *Cal. State Papers, Dom.*, 1581–90, 246, 1591–4, 265, 451; *Cal. Hatfield House MSS.*, iv, 566.

Lock, the two Gilberts, Sir Philip Sidney, Ralegh, Grenville, Peckham, Walsingham, his son-in-law, Christopher Carlile, John Hariot, the mathematician, John White, Ralph Lane and many others discussed among themselves the north-east and north-west passages, possible objects and new routes of trade, the problems of geography and navigation, and the curiosities of discovery. Some at least of these men contemplated the still more interesting problem of establishing English settlers in the lands beyond the seas. The diary of Dr. John Dee, half physician, half alchemist, is filled with mention of meetings of men interested in navigation and exploration at his house, Muscovy House and elsewhere, during the years between 1577 and 1583. Hakluyt took the Hungarian traveler and scholar Stephen Parmenius of Buda to visit Sir Humphrey Gilbert, who told him of his plan of founding a colony in the new world, and thus incited him to undertake the thorny task of putting the names of Willoughby, Jenkinson, Frobisher and Drake and their exploits into Latin verse. It was a sad return of the muses for this interest that he afterward accompanied Gilbert to America and was drowned in a shipwreck off Cape Breton.

Hakluyt in 1578 wrote to a certain Anthony Parkhurst of Bristol, who had been much in Newfoundland in connection with the fishing industry and provision of salt to the fishermen, and drew from him a full account of the products of that country and the places most suited to settlement. The same indefatigable advancer of discoveries gave to some gentlemen going with Frobisher much thoughtful advice as to the nature of the best spot to be chosen for settlement and the policy to be pursued in establishing industries there.

In two successive appeals to the queen for a license to seek a passage to the Indies by the north, emanating from Anthony Jenkinson and Humphrey Gilbert, in 1566 and 1576, the possibility of a permanent acquisition of territory is presupposed in the request of Gilbert to be appointed governor of all the new countries to be discovered. But he was himself

a member of the Muscovy company and he may at this time have had no more in mind than the establishment of such agencies as the company had in Russia.[1] By 1570, however, colonization was deliberately proposed. In that year, Gilbert, now Sir Humphrey, returned from Ireland, and in the intervening period before he began his service in the Netherlands in 1572, used some of his leisure, while living at Limehouse, in sight of the Thames shipping, in writing a "Discourse of a new Passage to Cathaia." In this essay, among the advantages to be derived from the discovery of that passage, it is suggested that "we might inhabit some part of those countreyes and settle there such needy people of our country which now trouble the commonwealth, and through want here at home are inforced to commit outragious offences, whereby they are dayly consumed with the gallowes." England was full of wandering and unoccupied or ill-occupied victims of the social changes of the time, and it is characteristic of the age that the most obvious defence for colonization should be the existence of a surplus and restless population. The same idea is soon expressed more widely, and becomes a common statement in enumerating the advantages of discovery and settlement.[2]

The curious appeal of certain west country gentlemen to the queen and to the lord admiral in March, 1574, for the privilege of making a voyage for the discovery of "sundry Ritche and unknown lands, Fatally, and as it seemeth by God's providence reserved for England," somewhere in the southern hemisphere, speaks of the same process of disburdening England of some of its excess population. A macchiavellian project of 1577 to injure Spain by means of an expedition sent out nominally to discover and inhabit new lands, really to destroy Spanish shipping, takes for granted

[1] *Diary of Dr. John Dee*, 3, 4, 7, 8, 9, 11, 16, 17, 18, 19; Hakluyt, vii, 244–50, viii, 9–16, 23–33, 78–84.

[2] *Cal. State Papers, Col., E. I.*, 1513–1616, 9–15; George Gascoigne, *Discourse of a New Passage to Cathaia, Epistle to the Reader*, April 12, 1576; Hakluyt, vii, 186, viii, 60, 67, 112, 143; Sir Henry Knyvet, *The Welfare of the Realme* (ed. 1906), ii; G. L. Beer, *Origins of the British Colonial System*, 35–43.

that colonization will seem a natural design. It is quite possible that Gilbert was the real author of both of these propositions. Certainly the establishment of a colony is clearly provided for in the letters patent of June 11, 1578, granting to him for six years a monopoly of discovery and settlement in America. This grant became the type and foundation for the earliest stage of attempted colonization. Just as the charter of the Cathay company, drawn up the year before, was occupied with questions of trade, stock and dividends, so this grant was filled with provisions for emigration, settlement and government. The instructions given to Fenton starting on a voyage to the East Indies in 1582, gave him authority to inhabit any lands he might discover, and thus testify to the growing recognition of colonization as a normal process.[1]

In the course of the decade between 1578 and 1588 colonization became a familiar and widely accepted ideal, and various incentives to it were discovered and expressed. Actual achievement, however, was but small. Colonization when it became a success a generation later was the work either of enterprising merchants or of sagacious religious leaders, working on a restless and land-hungry population. Its enormous difficulties were overcome only by a combination of opportunity, persistency, experiment and expenditure for which the times were not yet ready. This was the period of the dreamer and the adventurer.

The first attempt, notwithstanding careful preparation, scarcely got out of sight of the British Islands. In pursuance of the privileges granted him in 1578, Sir Humphrey Gilbert organized a fleet of ten ships with adequate equipment for finding and establishing a station upon some new-world site, and gathered them in Dartmouth harbor. But the same wind that brought Frobisher's third and last expedition into port in September, 1578, held Gilbert's fleet wind-bound for

[1] *State Papers, Dom., Elizabeth*, xcv, 63, 64, cxviii, 12; *Sir Humphrey Gilbert*, Prince Society, 234, 239; Hakluyt, viii, 17–23, 89–131, 143; *Cal. State Papers, Col., E. I.*, 1563–1616, 190.

a month. When it emerged on the 23rd, it was only to be scattered by a storm. Gathered again at Plymouth, they were held there by adverse winds from the middle of October to the nineteenth of November. Dissension arose, their supplies were depleted, the season was almost over, discouragement was general and their wisest course of action uncertain. When the fleet finally sailed it was scattered by another storm, the expedition was obviously doomed to failure and the scattered ships picked their way homeward in midwinter as best they could.[1]

The next three years have left no record of attempted colonization. Gilbert was for much of the time in Ireland, and although in 1579 Simon Fernando, a servant of Walsingham, sailed to the shores of the new world, "in the little frigate," and in 1580 John Walker, an observant clergyman, was on a voyage that enabled him to trace a part of the coast, these were but petty exploring expeditions. By the year 1582, however, colonization was being widely discussed. It was in this year that interesting but ineffective negotiations took place between Walsingham, Sir George Peckham, Sir Thomas Gerard and Sir Humphrey Gilbert, by which English Catholics, with the consent of the government, were to be sent as colonists to America. It is noticeable that one part of this plan was that one tenth of the emigrants should be persons unable to support themselves in England, so that from the government's point of view it was a scheme for relieving the country of two classes of undesirable persons at the same time. Various assignees of Gilbert for parts of his grant tried to organize expeditions but failed. In November Gilbert himself entered into a detailed agreement with a body of adventurers from the city of Southampton who were to join him with money or in their persons, guaranteeing to them later incorporation as a company and many privileges

[1] Killigrew to Davison, *Cal. State Papers, Dom., Addenda*, 1566–79, 599; Gilbert to Walsingham, Nov. 12 and 18, 1578, *Cal. State Papers, Dom.*, 1547–80, 600, 605; *Sir Humphrey Gilbert*, Prince Society, 245–252, 253–8; Hakluyt, viii, 40.

and valuable possessions in the colony when it should be established.[1]

In the same month, November, 1582, Walsingham received a letter from the mayor of Bristol asking his advice concerning these ventures. In March, in reply to this letter, he sent Hakluyt and a companion to Bristol with letters of approval and an appeal for additional shipping. At a meeting of the merchants of Bristol one thousand marks and the use of two ships were subscribed for such western journey as should be arranged. Other adventurers were working in anticipation of the expiration of Gilbert's patent or of securing ultimate acceptance under it. In September, 1583, Christopher Carlile, son-in-law of Sir Francis Walsingham, pledged his own means and interest to the venture and laid before the merchants of the Muscovy company, in whose fleet he had sailed the year before, a proposition that they should take shares ranging in value from £6, 5*s*, to £25. The merchants gave a favorable reply, proposing that Carlile should obtain from the queen certain privileges for the adventurers in the scheme, and that £4000 should be provided to establish and maintain one hundred men in the colony for a year, and that men, women and children should be taken there whenever they could be induced to go.

Before this scheme could be carried out, Gilbert had made his second great attempt, and closed his career beneath the waves of the north Atlantic. The story is a sadly familiar one. A fleet of five ships, some of them not too carefully recruited from the pirates of the Channel, left Plymouth June 11th, 1583. Arrived at St. Johns in Newfoundland, Gilbert summoned the crews of the thirty or forty vessels of the fishing fleet then in the harbor to a meeting on the shore, read his commission, took possession of the land in the name of the queen with handing over of a turf and

[1] *Cal. State Papers, Col.*, 1574–1660, 2; R. B. Merriman, *Some Notes on the Treatment of the English Catholics in the Reign of Elizabeth*, *Amer. Hist. Rev.*, xiii, 491–500; Hakluyt, viii, 40–1; *Sir Humphrey Gilbert*, Prince Society, 278–295.

a twig, and set up the royal arms. The first three weeks of August, which Gilbert and his companions spent on the shores of Newfoundland, were a period of good food, pleasant entertainment and useful search, shadowed by misdemeanors on the part of some of the reckless company, some seasickness and desertion. The endless forests limited observation, but the Saxon ore refiner whom they had brought along discovered the usual mine. Gilbert sent the samples of ore on board ship rather than allow the rumor of the discovery to spread among the Portuguese and French fishermen visiting the island. The stay there was soon brought to an end. This voyage was for the purpose of taking possession rather than populating a colony, and the approaching expiry of the patent made it necessary that Gilbert should visit and claim the southern as well as the northern parts of his continent.

The voyage from St. Johns southward was a short one. Before reaching Cape Breton they were tossed by storms, driven on shoals, lost their largest vessel with the stores, records and samples of ore, beat up and down till they became short of provisions and thoroughly disheartened. With golden promises to his company of a return the next spring with two fleets, one for the north and one for the south, the commander gave orders to turn toward England. He still remained on the smaller of the two vessels, the Squirrel, of ten tons, which he had chosen for himself for purposes of exploration. September 9th, just north of the Azores, at midnight, in the midst of a heavy sea, the Squirrel's lights disappeared. Although her consort finally reached home, no trace of the smaller vessel or of her commander or crew was ever found.[1]

So Gilbert's twenty years' dream of discovery, conquest and settlement came to an end. Englishmen still visited Newfoundland in connection with their fishing, and a few years later began to make voyages to Cape Breton and the islands in the Bay of St. Lawrence in search of walrus tusks. Hakluyt obtained, with much labor, a number of

[1] Hakluyt, viii, 34–77.

French accounts of the explorations of their countrymen along the St. Lawrence, and subsequently published them in his "Voyages." Thus the northern coasts of America became familiar to Englishmen though further attempts at their settlement were long postponed.

Efforts for colonization now came under another leading spirit, and were directed to a region further to the south. The death of Sir Humphrey Gilbert and his failure to establish any permanent colony seem to have been construed as vacating his patent, although the six years for which it was granted were still nine months from their termination when he sank in the waters of the Atlantic. Without waiting for the actual expiration of that period, on March 25th, 1584, a charter was given to Walter Ralegh almost identical in its wording with Gilbert's of June 11th, 1578. That the mantle of Gilbert should fall on Ralegh was manifestly suitable. They were half-brothers, born on the same Devonshire coast, trained in the same Irish and continental wars, interested in the same problems of exploration and settlement. One of the ships in Gilbert's first expedition had been commanded by Ralegh, the largest which had sailed from Plymouth on the second expedition was owned by him, and he would have sailed in it himself except for the direct prohibition of the queen. He had already given proof of his interest in exploration by his participation in the license of Adrian Gilbert to seek the north-west passage. He now threw himself with all the fire and devotion of his nature, all his wealth and the influence of his position, into the project of establishing a colony in America.[1]

In less than a month from the date of the grant two barks well furnished for a voyage of observation and experiment sailed from the Thames under the command of Philip Amadas and Arthur Barlow. They were equipped at Ralegh's expense and sailed under his instructions. They followed the usual course south to the Canaries, west to Porto Rico and Hispaniola, then north-west to the American coast. Sailing

[1] *Cal. State Papers, Col., E. I.*, 1513–1616, 234–6; Hakluyt, viii, 289–96.

northward till they reached the first inlet, they entered Pamlico Sound, landed on the beach and later on Roanoke Island, took possession in the name of the queen and of Ralegh, visited the savages, made observations of the natural products and by the middle of September, five months from the time of their departure, were again in England, bringing to their employer a glowing report of the new world the queen had given him. In December an act of confirmation of Ralegh's grant was passed by parliament, similar to the parliamentary charter given to the Muscovy company twenty years before. The next spring, April, 1585, the first body of actual settlers were sent. Something more than one hundred men of the ships' company on the fleet of seven little vessels agreed to remain for at least a year, and were left in Roanoke in August by the commander of the expedition, Sir Richard Grenville. It is fortunate that among the adventurers who spent the next winter in Virginia were John White, whose fine water-color maps and sketches still remain to show Indian figures, costumes and customs as they were when the white man first knew them, and Thomas Hariot, whose close observations of the productions of the new world were equally well expressed in written form in his "Briefe and True Report of the New Found Land of Virginia," published two years later.[1]

In the mean time Ralegh had been knighted, his rapid advancement at court had begun, and grants, appointments and gifts were flowing in their fullest stream. It was therefore still at his own expense that as soon as the spring opened he sent a vessel with supplies for his little colony. Shortly afterward Grenville took three more ships on the same voyage. But the colonists, pinched by the winter's shortage of food, troubled by conflicts with the natives, disappointed at the long waiting for relief ships, and doubtless homesick and disillusioned, had taken advantage of the opportunity offered by the appearance of Sir Francis Drake off their shore on

[1] *Hist. MSS. Comm.*, 3 Rep., App. 5; Hakluyt, viii, 297–345, 348–386.

his return from a naval expedition against the West Indies, and had left for home. The relief ships of 1586 therefore found the island deserted, and after coasting along the shore for some distance and leaving fifteen men behind as a nucleus for a future colony, returned to England, stopping only to ravage some Spanish settlements on the way. So Ralegh's first effort at establishing a colony failed.[1]

He was however by no means discouraged. The winter was spent in gathering a new company of colonists. This time, in addition to almost a hundred men, seventeen women and eight or ten children were added and served to make the community a more normal one. The prevailing tendency toward organization was followed, and the whole colony was incorporated as "The Governor, Assistants and Company of the city of Ralegh in Virginia." John White, who had been on the first expedition, was made governor of the company and of the colony. The fleet that took them out was a modest one, consisting of one large and two small vessels. Hakluyt had suggested, and the earlier colonists had rightly believed that the coast somewhat further north, within Chesapeake Bay, would be a better site for their colony, and the governor carried written instructions from Ralegh to go there.[2] But the shipmasters were anxious to get rid of their passengers and sail for the Azores to seek Spanish captures, so they refused absolutely to go beyond their former destination, and this colony, like its predecessors, was left to establish itself on the islands or adjoining shores of Pamlico and Albemarle Sounds. The ultimate fate of this little group of English men and women is absolutely unknown. They were not forgotten by those that sent them out, and Governor White, whose daughter and grandchild were among the colonists, after his return to England made repeated efforts to take out a relief expedition. But various obstacles intervened, and it was not until the summer of 1591, four years afterward, that he was able again to visit Virginia. The disappearance of the

[1] Hakluyt, viii, 319–348.

[2] *Cal. Clarendon Papers*, ii, App. 1.

settlers from their first location was complete. Only the ruins of their houses were found on Roanoke, and unpropitious weather and divergent objects of interest carried the fleet away before it had searched further. We know of the birth of little Virginia Dare and of the child of Margery Harvey, the first-fruits of the increase of population of the new world, by the report of Governor White when he came back to England for supplies. We know that the colonists changed their location to the island of Croatan by the inscription they left upon a tree at Roanoke. But that is all. No further search was made for them until a new settlement was planted twenty years later and no message from them ever reached England. Whether absorbed among the Indians, destroyed in battle with them or swept away by starvation or disease can never be known.

The whole history of colonization has illustrated its difficulties. The removal of a group of men from the political and social surroundings of an old civilization to the barbarian rigor, lack of saved up wealth and slight social support of a new and undeveloped country, inhabited only by savages, has been a failure in more instances than it has been a success. At this period the greatest difficulty seems to have been lack of sufficient capital. These settlements were mainly at the personal expense of Sir Walter Ralegh, and even his princely income was not sufficient to establish them. He is said to have expended more than £40,000, equalling perhaps a million dollars in modern value, in these colonizing ventures; like Gilbert "learning too late himself and teaching others, that it is a difficulter thing to carry over Colonies into remote Countreys upon private mens' Purses than he and others in an erroneous Credulity had persuaded themselves." That "private purses are cowld compforte to adventurers," was one of the lessons of this period. March, 1589, Ralegh disposed of his claims in Virginia to a group of London merchants, and turned his attention at first to the development of his estates in Ireland and some years afterward to projects of trade, conquest and preparation for settlement in Guiana.

Those to whom he had assigned Virginia organized but one expedition, and this was diverted to other objects.[1]

The attraction of privateering in this period of imminent or actual war was an impediment to colonization almost as great as its expense. In all the expeditions fitted out at this time with discovery or settlement as one of their objects, the possibility of booty was present as another; and plunder was a keener incentive than the establishment of a colony. Gilbert's expeditions were too early and directed too far to the north to feel this attraction in its greatest intensity, but his fleet of 1578 was divided on this question, and Ralegh separated from the rest before their return to attack a Spanish merchant fleet. On the second expedition some of Gilbert's men could not withstand the temptation to plunder a fishing vessel in the very harbor in which he had just established regular government.

The fleet that took over Ralegh's first colony, in 1585, stayed to seize two Spanish frigates off Porto Rico on its way over, and to capture a ship of 300 tons and ravage towns and hold Spaniards to ransom at the Azores on the way home. It has been already stated that the captain of the fleet that took over the second colony, in 1587, was in such a hurry to get away again to seek booty about Terceira that he was unwilling to carry the colonists all the way to the Chesapeake as had been agreed. The fleet of 1591 which was to carry over additional colonists and to succor those already there, instead slipped out of Plymouth with not a colonist aboard except Governor White, loitered long in the West Indies on its way to Virginia, and hastened away from Roanoke without making a thorough search for the old colony, all because of its desire to capture Spanish vessels. There could scarcely be a greater contrast than that between the actions of a fleet bent on the transport and relief of colonists, and the course of these three vessels, threading their way for three months in and out among the Spanish islands, capturing and pillaging coasting

[1] Camden (ed. 1688), 287; *Reasons or Motives for the Raising of a Publique Stocke*, Sect. 5, in Brown, *Genesis of the United States*, i, 37.

vessels, watching for the treasure fleet, burning and plundering villages and kidnapping Spaniards and natives.[1]

The most conspicuous instance however of the diversion of colonization to privateering is the great fleet with the inception of which the name of Sir Philip Sidney was so closely connected and the exploits of which gave such fame to Sir Francis Drake. Sidney, like most of the active minds of the time, was early interested in discoveries. He was in 1575 one of the first subscribers to Frobisher's voyage and wrote a description of the project to his friend Languet. Hakluyt's "Divers Voyages to America" was dedicated to him in 1582. He became interested in colonization, planned to join Gilbert's expedition of 1583 and obtained from him a lordly grant of 3,000,000 acres. He was also interested in Ralegh's schemes. In 1585 he planned a great expedition apparently intended to take possession of Spanish America and to make that region the sphere of later English colonization. But his anticipation of joining it himself was frustrated by the queen's commands, the tendency toward privateering was too strong to allow the colonizing feature to survive, its direction passed out of the hands of Sidney into those of Drake, it became a purely warlike expedition and its only connection with colonization was the removal from Virginia to England of Ralegh's discouraged settlers in 1586.[2]

Colonization was reserved for a later age, but the voyages in its interest at this time, the charts drawn by navigators engaged in the search for suitable sites, and the expeditions of which it was the ostensible object did a great work. They made familiar to Englishmen the continental and island coasts of America southward from the region where the search for the north-west passage was in progress to where frequent visits were being made for purposes of forcing unwelcome trade and still more unwelcome pillage upon Spanish America.

[1] Hakluyt, viii, 61, 91, 312, 317, 391, 404–22.

[2] Fulke Greville, *Life of Sidney*, *Fuller's Worthies Library*, iv, 71–7, 110–19; Sidney to Stafford, July 21, 1584, Arthur Collins, *Sidney Papers*, i, 298; *Cal. State Papers, Col., Am. and W. I., Addenda*, 1574–1674, 28; Hakluyt, x, 97–134.

Before taking up the narrative of this series of events, however, it is necessary to return to a region which involved less of the unknown than these far northern and western parts of the world, and was apparently well adapted to the activity of English merchants. This was the group of countries that lay around the Mediterranean Sea.

CHAPTER XVII

ENGLISH TRADE IN THE MEDITERRANEAN

COMMERCIAL intercourse between England and the Mediterranean goes far back in time, but with the exception of a few scattered instances in the fifteenth century this commerce was carried on by foreigners and in foreign not English ships. At the opening of the sixteenth century some genuine English trade showed itself. The industrious search of Hakluyt was able to discover from the account books of certain London merchants of his time that the Christopher Gonson, the Mary George, the Trinity Fitzwilliam, the Matthew Gonson and "divers other tall ships" of London, Southampton and Bristol were sent regularly to Sicily, Crete, Scio, Cyprus and the mainland of Syria. This intercourse took place between 1511 and 1534, and from time to time during the remainder of the first half of the century. A number of men afterwards connected with the naval administration or with distant exploration were trained in these early Mediterranean voyages. Anthony Jenkinson was engaged in trade to Aleppo in 1553, four years before he entered the service of the Muscovy company, and both Frobisher and his patron Michael Lock were on Mediterranean voyages before the search for the north-west passage began. But for some reason this trade seems to have died out almost altogether and although English vessels occasionally went to Italy, for twenty-five years, from 1553 to 1579, none so far as is known went to the eastern Mediterranean until the reëstablishment of trade, about that time, due to the enterprise and efforts of two influential London merchants.[1]

The connection of England was so much closer with the Baltic than with the Mediterranean that when in 1575 Edward

[1] Hakluyt, v, 62–3, 67–8, 167–8; *Cal. State Papers, Dom.*, 1591–4, 58, 66, 68.

Osborne and Richard Staper planned this restoration of the old trade to the Levant, they sent their agent, whose task it was to prepare the way, by sea to Poland and thence overland to Constantinople. This agent, after a stay of eighteen months, obtained a promise from the sultan that if the merchants would send a commercial representative into his dominions he would be favorably received. Osborne and Staper thereupon despatched William Harborne, a merchant and a man of force and diplomatic ability, whose influence was strong in the east during the immediately succeeding years. Not only the greater familiarity of the northern route but the avoidance of giving knowledge of their project to possible rivals made an overland approach still desirable; so in the summer of 1578 Harborne travelled by way of Hamburg to Poland, joined the train of a Turkish ambassador returning home, clothed himself and his followers in Turkish costume, and in October arrived at Constantinople. His reception by the sultan Amurath III was much like that of Chancellor by the czar Ivan IV, twenty-five years before. In response to Harborne's representations, a letter of oriental imagery, in which Elizabeth was addressed as "Most sacred queene and noble princess, . . . cloud of most pleasant raine and sweetest fountaine of nobleness and virtue," was sent by the sultan to the queen, offering freedom of trade to the three merchants who had sought it and to such of her subjects as should come thither, on the same terms as it was already granted in his dominions to the French and Venetians and the subjects of the king of Poland and the emperor of Germany. The sultan asked like liberty of trade for his subjects coming to England "either by sea with their ships, or by land with their wagons or horses." A continued exchange of letters resulted within the next two years in a still more liberal and definite grant of trading privileges by the sultan to English merchants.[1]

The desirability of this trade from the point of view of the

[1] Hakluyt, v, 167–171; Camden (ed. 1688), 235; *Lansdowne MSS.*, xxx, 24–5.

English government was a matter that required some consideration. It was the subject of a memorial of Secretary Walsingham, apparently drawn up in the year 1580. He favored its establishment but only if it were made secure against the attacks of rivals, first at sea and secondly at the sultan's court. The first of these results could be obtained, he said, if a large number of vessels, suitably armed, should always sail together, avoid European ports, and obtain Turkish protection in the ports of the Barbary states. The second could be met by keeping a capable envoy at Constantinople. As the envoy would be sent there mainly for matters of trade, the merchants should bear the expense of the embassy.[1] Keen interest was felt in the project. The trade to Persia and the orient attempted by the Muscovy company through Russia had just been abandoned as impracticable, but the spell of the eastern lands was no less strong. A series of memoranda in Burghley's hand taken down at this time from some traveller's lips or extracted from some written narrative still remains to testify to his interest. He notes the products of each region, the distances of various Syrian towns from one another, that Tripoli is "a walled town as big as Rochester," that the passage from Constantinople to Scutari is "of the width of the Thames at Gravesend," that "a caravan is a consort of merchants travelling together with a number of camells not under the number of thirty," that the men of Marseilles and the Venetians have each a company and a house at Aleppo "called in Turkes Caravansera, in Italian Alfondega."[2]

It was only natural therefore that when the adventurers asked for a charter they should obtain the ready favor of the government. The form of organization which was given to their trade reflected its peculiar conditions and differed in several respects from that of the Muscovy and Eastland companies, which were its nearest congeners. The charter was issued September 11, 1581. They were given no especial designation in the patent but were commonly known either

[1] *State Papers, Dom., Elizabeth*, clxiv, 70, printed in Epstein, *Early History of the Levant Company*, 245–51. [2] *Lansdowne MSS.*, xxxiv, 178.

as the Turkey company, the Levant company, or the merchants trading to Tripoli, the latter city, in Syria, being the furthest limit of their voyages. Their number was small. It was to consist of Osborne, Staper, two other London merchants named in the charter, Thomas Smith and Richard Garret, twelve more whom these four should name, and two to be subsequently appointed by the queen. Instead of being given for an indefinite period, as in the case of the Muscovy and Eastland companies, their privileges were granted for but seven years, with the provision that if found injurious to the realm, they could be withdrawn on a year's notice at any time, but if found beneficial would be granted for another seven years. The company must carry on trade of such an extent as to produce £500 a year in customs duties every year after the first, and must satisfy the admiralty and the ordnance department of the adequate armament of each expedition. Although these eighteen men were spoken of as a company or fellowship, were given power to hold meetings and adopt regulations for their trade, and had a governor, they were not actually incorporated, and had no corporate seal or official title. They were none the less given the monopoly of all English trade to the dominions of the grand seignior, they were expected to trade with a joint-stock and it was understood, although not stated in their charter, that they should pay the expenses of an ambassador at the sultan's court.[1]

The appointment of such an ambassador was as a matter of fact not only one of Walsingham's recommendations but one of their own first requests. In 1582, a few months after receiving their charter, they reminded the queen of her promise to the sultan to send some one to salute him and confirm their privileges of trade in his dominions, and report that they hear he is hourly expecting such a messenger. They ask the queen herself to pay the expenses of the ambassador, or a large part of them, or if she is not willing to do this to send an agent, not an ambassador, and by sea, to avoid great charges.

[1] Hakluyt, v, 178–189; Epstein, App. VIII, i, 239–245.

Elizabeth however was not inclined to stint expense when some one else was responsible for it, and Harborne, who had in the mean time returned to England, was now sent back to Constantinople in the full capacity of ambassador. His commission and letters of credence were given on the 15th and 20th of November, 1582. He set sail from London on the Susan in the same month, threaded his way with much danger among the Christian ports of France and Venice, that should have been friendly but were made hostile by trade rivalry, and reached Constantinople at the end of March, 1583. Notwithstanding the opposition of the French and Venetian residents at the sultan's court, he succeeded in being presented, renewed the league of amity with the queen, and was soon established at a permanent residence named Rapamat, just outside of Pera, on the other side of the Golden Horn from the Turkish capital. His commission gave him so full a power to govern all English subjects and to control English trade in the dominions of the sultan that it diminished to a great degree the independence of the company whose formation had led to his mission. In accordance with this authority he busied himself appointing consuls for Cairo and Alexandria in Egypt, Aleppo, Damascus, Algiers, Tunis, Tripoli in Syria and Tripoli in Barbary. There was much occasion for his energy in securing justice for merchants from the violence or exactions of the Turkish officials, and equal need of his efforts to secure safety for the company's vessels and crews from the corsairs of the Barbary states. The sultan's letters to his ministers and vassal rulers were easily obtained but his commands were not so easily enforced, and letters, gifts and messages from the queen herself and from the London merchants, much diplomacy and some threat of force were necessary to obtain even partial immunity from such attacks, or reimbursement for loss.[1]

Harborne remained in Constantinople five years, then on

[1] Hakluyt, v, 215, 292–311, 320; *Cal. State Papers, Dom.*, 1591–4, 89; *State Papers, Foreign, Turkey Papers*, Bundle i, printed in Epstein, 179–246; Hammer-Purgstal, *Hist. de l'Empire Othomane*, vii, 140, 395.

August 3rd, 1588, was succeeded by Edward Barton. The merchants estimated that the regular expense of the ambassador was £1000 a year, besides as much more for consuls. Harborne himself however claimed that during his whole ten years of service for the adventurers, he had received from them only £1200, and of this payment clear of expenses was only £600. He had spent four years obtaining their original privileges, with a favored nation clause, and his clerk had kept the books of the company for the first few years while their factor was still inexpert.[1]

Another expense incumbent on the merchants trading to Turkey was the presentation from time to time of a formal gift to the sultan. This oriental practice was analogous to an acknowledgment of allegiance, or at least of friendly and respectful alliance, and was traditionally due every six years, or on a change of rulers. The gift must be of substantial value, and was usually something original and if possible unexpected. For the first present, the company, in 1582, recommended that the queen send at her own expense a present worth as much as £200, and suggested a fine clocke, some silver cups, a scarlet ingrain and seven or eight pieces of fine cloth of various other colors, six mastiffs, four greyhounds, four water spaniels, four bloodhounds, five little spaniels, "all with collars," and various small articles. But even this opportunity to display England's traditional excellence in the breeding of dogs did not commend itself to the queen, and the company was forced to send this and later presents at their own expense. When Harborne presented himself to the sultan for the first time he gave him a watch valued at 5000 ducats, nine English bull-dogs and some other gifts.

From 1583 onward strenuous efforts were made by successive English ambassadors to induce the sultan to send a fleet against Spain. A long series of letters still remain reporting their negotiations, the promises of the Turkish

[1] Pears, *The Spanish Armada and the Ottoman Porte, Eng. Hist. Rev.* viii, 446.

officials and the postponements of their fulfilment. One of the projects involved the replacement of Don Antonio on the Portuguese throne, and the scheme looked especially promising during the critical summer of the Armada. But nothing was accomplished and Elizabeth's denials of the existence of any such union of forces were truthful if not ingenuous.[1]

There were other indirect accompaniments of the Levant trade. One of the inducements for the alliance with the Turkish ruler had been the hope that English captives in the galleys of the sultan or the Barbary rulers, and even in the private possession of Moorish owners, might be released. It had been long a sad accompaniment of the visits of English ships to the southward that their crews were sometimes captured by the vessels of these Mahometan rulers, and, unprotected by a common religion, reduced to slavery, chained to the oars of the galleys or sold into private servitude. The very year in which Osborne and Staper sent their first trade emissary, a certain John Foxe, thirteen years a prisoner in the galleys, led a body of 277 Christian captives to liberty in a sudden uprising under the very walls of Alexandria.

There were many others still scattered through the Mussulman dominions, some of whom had under pressure become Mahometans themselves. Occasionally an Englishman, like Hassan Aga, son of Francis Rowley of Bristol, eunuch and treasurer of the Dey of Algiers, had risen to high office in the service of the sultan or of some of his viceroys. In his very first grant of privileges, in 1580, the sultan was induced to agree that all English slaves in his dominions, if they had not become Mussulmans, should be released.[2] Notwithstanding the sultan's commands however the English traffic to the Mediterranean for the time rather increased than decreased the number of such prisoners. John Aylmer, bishop of London, condemned the trade to Turkey on this ground in a letter to the mayor and aldermen of London in 1582.

[1] Pears, *The Spanish Armada and the Ottoman Porte, Eng. Hist. Rev.* viii, 444–446.

[2] *Lansdowne MSS.*, xxx, 24–5.

"Surely in myne opinion it is very straunge and daungerous that the desire of wordly and transitori thynges shold carry men so farr with such kinde of trafike, which neither our auncestors before us knewe of nor can be attempted without selling off soules for purchasing of pelff, to the great blemishe of our religion and the shame of our countrey. Wherefore if your lordship and the rest of your bretheren cold by your authoritie staye such entercourse with Infidells and save the soules of our people from the Gulphe of Mahomet, I thynk you shold doe a gracious deede and winne an everlasting remembrance off your Maraltie above all other that have gon before you." [1]

Collections at church services on Easter in London for many years were devoted to the ransom of English captives in Turkey and Barbary. In 1580 the lord chancellor wrote to the mayor asking him to use part of this fund in reimbursing a certain man named Atkinson, who had redeemed some captives in Barbary at his own expense. The mayor objected on the ground that Atkinson had acted without warrant in the matter and had raised the price of such captives unnecessarily. Nevertheless he agreed to give him £30. Two years later the bishop writes again to the mayor forwarding the petition of certain miserable captives in Turkey, to be redeemed out of their "hellish thraldome" and begging him that "the sorrowful cry of these poore men may pitifully sound in your eares to their reliefe and comfort." He recommends that special collections be taken up at St. Paul's on the anniversary of the queen's coronation and every Sunday afterward till enough be collected. At another time the bishop authorizes a collection for the purpose at Spital without Bishopsgate in the Easter holidays, and in 1582 he asks the mayor to appoint some grave citizens to collect the alms of the people at every gate of St. Paul's after the sermon. Several times foreigners make their way to England to beg money to redeem their relatives from the Turks, and obtain license from the queen to gather the devotions of the people

[1] *London City MSS., Remembrancia*, i, 199.

of London for this purpose. The mayor and aldermen object to giving this money to strangers while fellow countrymen are still lying in captivity, and suggest that collections be taken up in other cities and seaports also. The London authorities also object to the action of the bishop in trying to control the use they shall make of their charity. Captives of some means were regularly redeemed by their friends at home. Sometimes substantial merchants were captured, as in the case of Stephen Slaney, alderman and mayor of London and afterwards knighted, whose whole property had to be sold for his ransom.[1]

In 1583 a vessel named the Unity was sent by private persons to Algiers to redeem some captives there. The Jesus of London, sent by Osborne and Staper in the same year on a mercantile voyage to Tripoli in Barbary, got into trouble with the viceroy and the sailors were condemned to what amounted to slavery. At first they were required to row, half naked, chained to the oars in the galleys, and afterward to do all sorts of servile work. Efforts were made to force some favored few of them to turn Turk, after the example of a son of a yeoman of Elizabeth's guard, who was brought to them to persuade them to follow his example, but these efforts were unsuccessful. Letters were finally gotten back to England and to Harborne at Constantinople, and after long negotiations all who had not died were released. Little was regained of the value of this ship and its cargo, and long afterward the court of admiralty and the privy council were appealed to by the owners of the Jesus for reimbursement from the merchants who had hired her for this voyage. In 1587 an English traveler found fifteen English captives still in slavery at Algiers.[2]

The company frequently served as an intermediary in the process of ransoming captives. Its communication with Algiers and Tripoli in Barbary where this enslavement of

[1] Overall, *Index to Remembrancia*, 51–54; *Cal. Hatfield House MSS.*, xii, 222.

[2] Hakluyt, v, 292–311, vi, 35–38; *Cal. State Papers, Dom., Elizabeth*, 1581–90, 88, 124, 243; *Acts of the Privy Council*, xxxi, 270.

Europeans persisted longest, enabled its officers to make the necessary negotiations with the native potentates. Occasionally an exchange of slaves was practicable. In 1585 Sir Francis Drake captured from the Spaniards in the West Indies one hundred Turks who had been forced to serve in the galleys. On his arrival in London they were put in the charge of the Turkey company which gave them food and lodging for some months and afterward sent them out in the Hercules and set them free at Patras. The commander of the ship arranged to have the circumstances of their delivery recorded by the cadi, and the privy council wrote to the company expressing their hope that this service to the grand seignior would secure them greater privileges in his dominions and help procure the release of English captives. In 1602 the privy council wrote to the mayor and aldermen of London urging them to assist a man who had long been engaged in redeeming poor captives out of Barbary. More than two centuries were still to go by before instances of English speaking slaves in the Turkish and Barbary states were to become entirely unknown.[1]

Notwithstanding all difficulties, the new company carried on from the beginning an extensive trade. In one of their earliest years they sent seven ships to the Levant. At first they hired ships for their trade, as the Muscovy company did, but soon they had three ships built for themselves, yet were still forced to seek a license to secure others for their increasing trade. By 1584 they had put into their venture £45,000 capital which they were using as a joint-stock. They were sending ships into ten ports in the eastern Mediterranean, and applied to the queen for the loan of 10,000 pounds weight of silver to enable them to keep up their stock and shipping at these numerous points. They offered to repay the loan in six annual instalments and in the mean time to give the queen £3000 worth of spices, Turkey carpets and such other foreign products as should please her, to the value of

[1] *Acts of the Privy Council*, xiv, 205, xxv, 348, xxvi, 127, xxix, 741; *Cal. Hatfield House MSS.*, xii, 222.

£500 each year. The twelve members who signed this request included the mayor and six aldermen; two others signed as representatives of the Muscovy company, which had in its corporate capacity taken a venture in the Turkey company, and the remaining three were also prominent London merchants.[1]

They were not, like the northern merchants, restricted to one voyage a year, and within five years the company was able to point with pride to the fact that they had employed nineteen ships and seven hundred and eighty-two mariners in twenty-seven "voyages," and that they had paid almost £12,000 into the treasury in customs. They boasted of employing the largest ships sent out by any English merchants, ranging from the Marchant Roiall, of 350 tons, with a crew of 70 men, down to the Mayflower of 160 tons and the Jesus of 100. They sent ships regularly to twelve or more Mediterranean ports, extending from Algiers, Tunis and Tripoli on the northern coast of Africa to the Greek islands under the dominion of the sultan, to Constantinople, to Aleppo and Tripoli in Syria, and to Alexandria and Cairo in Egypt. Their exports from England in addition to cloths and kerseys of all sorts and colors were tin, pewter and rabbit skins. Their imports from the sultan's dominions were much more varied than the goods brought from the White and Baltic Seas and strikingly different from them. They included raw silk and cotton, and goods manufactured from those materials, carpets, indigo and other dyes, and the alum used in dyeing, drugs, spices, currants, olive oil, soap, and similar articles, some of them the products of the eastern Mediterranean, others brought by the ancient oriental trade routes that reached the eastern Mediterranean overland.[2]

Following a somewhat parallel development with the trade of the Turkey merchants was the work of another group of

[1] *Cotton MSS., Nero* B viii, 53; *Lansdowne MSS.*, xliii, 76; *Cal. State Papers, Dom.*, 1581–90, 708; *State Papers, Dom., Elizabeth*, ccxxxix, 124.

[2] *State Papers, Dom., Elizabeth*, ccxxxiii, 13; *Cal. State Papers, Dom.*, 1581–90, 147, 708.

Mediterranean merchants less conspicuous but no less enterprising. This was the trade with Venice and its possessions as carried on by Thomas Cordell, Edward Hombden, Paul Banning and a number of associates. They claimed to have begun to send vessels to Venice and the Greek islands even earlier than Osborne, Staper and their friends had begun the trade with the Turkish dominions. They took the same English products as the merchants going further east and brought many similiar articles in return. Their principal trade however consisted in the import into England of the three articles dried currants, olive oil and the sweet wines of Candia, especially the first. Dried currants or small raisins, which took their name from Corinth, the principal place of their production and export, were a favorite article of minor luxury at that time. They formed the most characteristic constituent of plum pudding and mince meat and were therefore of no mean importance in the English social system. A contemporary English traveller refers to this taste of the English "And the same delight in sweetnesse hath made the use of corands of Corinth so frequent in all places and with all persons in England as the very Greeks that sell them wonder what we doe with such great quantities thereof, and know not how we shall spend them except we use them for dying, or to feede Hogges." For a number of years the average import was 1100 tons a year, in 1591 it was 2300 tons, and between 1591 and 1599, 7000 tons were entered at London alone.[1]

Notwithstanding the extent of this trade it grew up between 1575 and 1583 against serious obstacles. A war of tariffs between England and Venice had been in progress since the reign of Henry VII. A new step in this old contest was the grant by the queen in October, 1575, at the solicitation of the earl of Leicester, of the monopoly of the import of the principal articles of Venetian commerce for ten years to Acerbo

[1] Fynes Morrison, *Itinerary* (ed. 1617), Pt. 3, Vol. iii, p. 197, quoted in Rye, *England as seen by Foreigners*, 190; *State Papers, Dom., Elizabeth*, ccxix, 82, ccxlii, 36; *Cal. State Papers, Dom.*, 1598–1601, 326.

Velutelli, a native of Lucca resident in England. As almost all such goods were at this time brought in by Venetians it was believed that a blow could be struck at the Venetian government by enabling Velutelli to undersell or to collect dues from their merchants. These payments would incidentally provide an income for Velutelli and his influential partners. The holder of the grant lost no time in putting it into force. When the first ships arrived in February, 1576, the merchants to whom they were consigned were forbidden to unload them until they had paid two shillings sixpence on each hundredweight of currants in their cargo. Against this and against the grant itself the Italian merchants resident in London protested vigorously to the privy council. When this was ineffective, they presented a petition directly to the queen, handing it to her, according to custom, as she walked to chapel on Sunday. Many Englishmen sympathized with the Italians. The mayor and aldermen of London appealed to the council, and several merchants sent in petitions. Supported, however, by the powerful influence of Leicester and Walsingham, Velutelli was able to retain his privilege, the only concessions being the exemption from dues of Venetian merchants already on the seas when the grant was made and a promise on his part to respect all the rules of the port of London.[1]

When the English merchants, a few years afterward, began to seek the Venetian trading territory, they found themselves burdened by the same payments to Acerbo, and naturally objected to having their new enterprise made more difficult by these exactions by a foreigner. The privy council then used its influence to induce Velutelli to spare the English merchants, and he agreed with them on a rate of payment which while respecting his grant they did not feel to be too burdensome. He still however collected the old rates from foreigners.

[1] *Lansdowne MSS.*, cxii, 154, 156, 159; *State Papers, Dom., Elizabeth*, clxv, 64, clxxvii, 55, ccxxix, 95; *Cal. State Papers, Venetian*, vii, 645, 649, 650, 652, 654, 658, 661, 664; *Cal. Hatfield House MSS.*, xi, 579; *State Papers, Dom., Jas. I*, xx, 25.

The Venetian senate, which had been making ineffectual efforts ever since 1575 to secure the revocation of the grant, in 1580 retaliated by placing an import duty on English cloth, tin and wool, and an export duty on currants and wine exported from their dominions on foreign ships, thus bringing the total payments of English merchants to a higher level than those of the Italians. The English merchants, burdened with these new dues as well as the old payments to Velutelli, obtained from the queen in 1582 permission to buy out from him for £1000 the remaining three years his grant had to run. His patent was therefore vacated, reserving only a payment of twenty shillings a butt on wines to Leicester. April 17, 1583, the English merchants engaged in the trade were themselves given a patent for the sole right of importing currants. This monopoly was to last for six years unless the seigniory of Venice withdrew their special taxes earlier, in which case foreigners and Englishmen alike should have the right of importation on paying the old customs to the crown. Venice did not withdraw her impositions, so Cordell and the other English merchants trading to that part of the Mediterranean remained a quasi-corporation, united by their possession of the old claims of Velutelli and their new license from the crown. They were commonly known as the company of merchants trading to Venice, or the Venice company.

Although the privilege possessed by these merchants was only for their own importation of currants, they construed it, as Velutelli had done, as giving them a right to allow others to carry on the trade on condition of the payment of set sums to them. In addition to their own importations therefore they regularly collected five shillings sixpence per hundredweight on all currants imported either by foreigners or by English merchants not free of their company. This gave them a considerable if somewhat unjustifiable income. They had no ambassador to pay, as the Turkey company had; on the other hand they had to sell English kerseys, broadcloth, tin and wool in Venice subject to the high Venetian duties of 1580 and 1582, and at the same time bear the burden of the

special impositions on exports from Venice in foreign ships. They had also to pay the import dues of twenty shillings a butt on wine to Leicester and after 1588 an export fee on cloths and kerseys to Sir Walter Ralegh, who in that year obtained a license to export 8000 cloths in four years.[1] They sent ten or twelve ships a year to Venice, Corfu, Cephalonia, Zante and Candia. These ships were scarcely smaller than those of the Turkey company, varying from 350 tons down to 160. As early as 1581, before they got their formal license from the queen, they could make a list of fourteen such vessels engaged in the trade; in 1585 after they had obtained their grant they had five ships of their own and nine "sett at work." In 1588 they owned six ships, besides ten which they hired from other men.[2]

There was some friction between the two companies that thus controlled the commerce of the eastern Mediterranean. The Turkey merchants, who were much more influential men, at one time asked the privy council to permit them to keep an agent at Venice, to export wool to that city, and to expend the profits of its sale in the purchase of wines in Crete. The Venetian merchants protested against these requests as destructive of their trade, but offered to admit the Turkey merchants into the dominions of the seigniory if they would in turn allow them to go freely to the dominions of the Turk, where they already carried on some trade, paying the Turkish company for the privilege. Nothing seems to have come of this proposal and the two companies continued for some years to carry on their trade on separate if nearly parallel lines.[3]

There were other English merchants in the Mediterranean. As early as 1574 a group of adventurers led by Henry Colthurst sent the Marigold to Marseilles, Leghorn and Cività Vecchia, and although they were not organized as a company,

[1] *State Papers, Dom., Elizabeth*, clvii, 84, ccxxix, 95, ccxxxiii, 14, *James I*, xx, 25.

[2] *State Papers, Dom., Elizabeth*, clxix, 59, clxxvii, 55, ccix, 79, ccxix, 86; *Cal. Hatfield House MSS.*, xi, 580.

[3] *State Papers, Dom., Elizabeth*, clvii, 84.

they continued to send ships to the southern coast of France and the western coast of Italy. The members of the company of Venice carried on a separate trade to the lands outside of those of their monopoly. Ships owned or hired by individual merchants also made voyages from time to time to the north-western ports of the Mediterranean lying between Gibraltar and Sicily.[1]

Apart from trading voyages, the perpetual succession of men "enflamed with a desire more thoroughly to surveih and contemplate the world," as one of these travellers from curiosity then expressed his state of mind, still continued. Especially to the ancient lands surrounding the Mediterranean such travellers had never been lacking, nor ever have been. In 1553, the year that saw so many trading voyages start out in new directions, John Lock made a journey partly by sea, partly overland, to Italy and Syria, and has left us his keen and interesting observations. We have similar narratives from several other men within the next twenty-five years, such as Henry Aunstel, who went all the way to Constantinople and back by land in 1586, John Evesham, who went by sea through the Mediterranean to Cairo in the same year, and a certain Lawrence Aldersey who travelled overland to Venice, then on by sea to Jerusalem and Tripoli and back in 1581, and again all the way to Alexandria and back by sea in 1586 and 1587.

The diffusion of English traders in the Mediterranean lands by this time is well exemplified by some of the experiences of Aldersey on this journey. He sailed on one of the ships of the Levant merchants, the Hercules of London. They had aboard the twenty Turks before spoken of who had been rescued from the Spaniards in the West Indies by Sir Francis Drake the year before and were now being sent home by order of the queen. Soon after the Hercules passed the Straits of Gibraltar she met the Centurion of London returning from a voyage to Genoa. Six days afterward the travellers saw two English ships near the island of Goleta. At Patras in Greece

[1] *Cal. State Papers, Dom.*, 1591–4, 66; Hakluyt, vi, 39–46.

they were entertained for five days by the English consul and two merchants in the English house there. Aldersey was soon afterward received and entertained at the English house at Zante. At Scio some quarrelling took place between the mariners of the Hercules and the natives, and the boys of the town knew enough of the English to annoy them by crying *Vive el Re Philippe.* When Aldersey arrived at Alexandria, he went to the English house there but found it closed, the keys being for the time in the possession of Thomas Rickman, master of the Tiger of London which was lying in the harbor. This shipmaster took Aldersey to the house and gave him a room and a man to attend on him during the three days of his stay. When the English traveller got to Cairo he found two Englishmen settled there who showed him the sights of that city. This was the furthest point of his journey. Algiers was the only point at which he stopped on his return and here he stayed with the English consul, Master Tipton. He found here also thirteen English sailors from the Golden Noble of London who had been driven by bad weather into the bay of Tunis, had been ill-treated by the Moors and had lately come to Algiers to seek redress.

Not only were English vessels constantly met in Mediterranean waters but establishments of English merchants were to be found in Patras, Zante, Alexandria, Scio, Tripoli and other cities of the Levant, of the same character as the *fondachi* which the Venetians, Genoese, French and other nations had long possessed in those cities. John Eldred, another English traveller, visiting Tripoli in Syria in 1583 describes the English settlement there. "In these cities our English marchants have a consul and our nation abide together in one house with him, called Fondeghio Ingles, builded of stone, square, in manner like a cloister, and every man his severall chambers, as it is the use of all other christians of severall nations." [1]

These settlements of English merchants in the Mediterranean cities belonged either to the company of Venice or to

[1] Hakluyt, vi, 1–9, 35–46, vii, 131.

the Turkey company, according to whether they were in the dominions of the seigniory or the sultan. The time was now approaching when the conditions of their further continuance would have to be settled. The charter granted to the Turkey merchants for a period of seven years expired by limitation of time September 11, 1588, and the license given for six years to the merchants trading to Venice ran out on the 17th of April, 1589. The control of the two chief branches of Mediterranean trade thus passed within seven months, at least temporarily, out of the hands of those who had so far monopolized them. Both companies it is true acted and were permitted to act as though their privileges were to be renewed. Although the government nominally collected the old impositions on currants from the Venice company, yet they allowed the members to give bonds instead of making actual payment, and the company continued to collect their impositions on wine, currants and oil from importers not members of their company. The Turkey merchants likewise continued to support the envoy at Constantinople, collecting four per cent on their trade from all merchants dealing there, instead of meeting the expenses from their joint-stock, as they had previously done.[1] But this was obviously an unstable condition and both companies sought a renewal of their charters. The Venetian merchants made their appeal even before their license expired, claiming that they had been of great service to the commonwealth by building six great ships of their own and hiring others, by giving occupation to mariners and increasing the queen's customs, and that nevertheless they were out of purse £9000. This was soon followed by a bolder request from the Turkey merchants. In June, 1589, they asked for a renewal of their charter and its extension to include the Venetian trade. Against this the Venice merchants protested, urging various reasons why they should continue to be a separate trade, and repeating their request for a renewal of their own privileges. When nothing was done some of the Turkey merchants lost heart, or pre-

[1] *Lansdowne MSS.*, lvii, 2, lxv, 96; *Cal. Hatfield House MSS.*, xi, 580.

tended to, and talked of giving up their trading operations altogether. Nevertheless in June, 1590, they made another appeal for a confirmation of their old charter, calling the attention of the council to the good service they had performed the year before in frustrating a proposed treaty between the sultan and the king of Spain, and complaining that they could not continue to pay the expenses of the envoy at Constantinople unless they had their incorporation.[1]

Burghley, who was by no means uninterested, notwithstanding the year of suspense in which he had left the merchants, submitted a series of questions to each of the companies, requiring them to make a further statement of what they had accomplished during their existence that might justify their claims. Each sent in a recapitulation of its services, of the number and size of its ships, its places of trade, customs paid and other proofs of achievement. These replies went in on the 16th of July, 1590, and the simultaneous return of their claims indicates the cessation of conflict between the two companies. It had been an old proposition to incorporate in one body of traders all English commerce in the Mediterranean from the Straits of Gibraltar to the coasts of the Levant. Now the two principal bodies which would be affected by such a plan had determined to unite their interests. In May, 1590, they had drawn up a list of nineteen ships belonging to the two companies, as a proof of their importance to the country. Shortly afterward, forty-one members of the two companies, including the lord mayor of London, one alderman and a number of the most prominent merchants of the city, made an appeal for a joint charter covering the dominions of both the sultan and the seigniory of Venice. They asked that this charter be given to those alone who had previously held privileges in one or the other body and they claimed the most extended powers and most complete monopoly for the new corporation.

[1] *State Papers, Dom., Elizabeth*, clvii, 84, ccxix, 86, ccxxv, 50, ccxxxii, 54, *Jas. I*, xv, 4; *Cal. State Papers, Dom.*, 1581–90, 671; Harborne to Walsingham, Feb. 17, 1588–9, *Turkey Papers*, Bundle 1, Epstein, 25.

Protests were now heard from a new quarter. Many merchants objected to the grant of such extensive privileges to the small group of men now banded together to obtain them, who would thus monopolize the whole growing Levant trade. It had been customary for both the old companies to allow merchants not of their own number to participate in their trade on payment of special impositions. Such men now saw an opportunity of entering the trade on equal terms. Independent merchants also who had been in the habit of sending ships to the western Mediterranean, now that the war with Spain and the civil conflicts in France had made that field unprofitable were anxious to turn their trade to the lucrative regions of the eastern Mediterranean. The trade was well worth struggling for. Notwithstanding the confusions of the time, in two years and a half, between 1588 and 1591, 57 ships sailed between England and the Mediterranean, 98 merchants were exporters of goods to the countries within the Straits, and 191 imported goods thence into England. These now singly and in groups began to apply for inclusion in the proposed grant. They pointed out that there were only fourteen, according to one petitioner only eight, real merchants in the wealthy and influential group of men who were asking for the privileges, and that most of these were already members of the Muscovy and Eastland companies and so did not need these advantages. Many of the petitioners on the other hand had been trading to the Mediterranean for twelve or fourteen years. They declared that the restrictive proposals were those emanating from the old Turkey merchants, while the Venice merchants were not unwilling to have others join. One merchant was so anxious to be included in the patent that he offered twenty gold angels to Burghley's servant to be admitted. The old company men sent in, in reply to these, a counter petition dilating on the large sums they had spent in organizing the Levant trade and paying expenses there for the benefit of the government. They claimed that nineteen of them had spent on the average £1000 apiece, and that altogether they had

invested more than £40,000 in putting the trade on its feet. They pointed out the advantages that had already flowed from this trade as it had been carried on under their administration, declared that there were already too many of them engaged in it and made the usual prophecies of the loss, confusion and injustice that would follow the overcharging of the trade by the admission of others.[1]

Burghley now seems to have decided to take things into his own hands. One of the special claims of both companies for government consideration had been the increase of the national shipping due to their trade. It was probably this claim that led to his reference of the question of the number to be included to Sir John Hawkins and William Borough, treasurer and clerk of the navy. They made a report, August 3, 1591, favoring, as might have been anticipated, the inclusion of as large a number of merchants in the new company as could be shown to have traded into that region, or now desired to do so, so that the number of vessels might be the larger, and that the fleets might be better able to defend themselves "in these dangerous times." The navy officials were then ordered to confer with all the merchants concerned and to make up a list of suitable members. This they did at the close of August. The Turkey and Venetian merchants also were directed to make up an extended list, including all persons who might show themselves able and willing to share in the burdens and expenses of the taxes, payments and presents that had to be met in Turkey and Venice.

The dispute had dragged on for more than two years. The matter engaged the interest of the council through the whole autumn of 1591, and finally January 7, 1592, the charter was signed and sealed. It was granted to fifty-three merchants. Some twenty others were named in it who were to be admitted on payment of a special entrance fee, and the queen might

[1] *State Papers, Dom., Elizabeth*, cli, 34, ccxxxi, 55, ccxxxii, 26, ccxxxiii, 13, 14, ccxxxix, 40–44, 79, 80; *Cal. State Papers, Dom.*, 1591–4, 63; *Cal. Hatfield House MSS.*, ii, 294, iv, 126; *Lansdowne MSS.*, cxii, 114–117; *Cotton MSS., Galba*, xi, 115, *Nero* B, xi, 118.

add two names if she wished. They were regularly incorporated as the "Governor and Company of Merchants of the Levant," with a common seal and the same right as their predecessors to use in the ensigns of their vessels the arms of England "with the reddecrosse in white over the same." Sir Edward Osborne, who had been so active in all Levant matters, was named in the charter as the first governor; the twelve assistants and later governors were to be elected by the members. The period of incorporation was for twelve years, though the charter could be withdrawn by the queen at any time on eighteen months' notice, if she thought best, and on the other hand, if profitable to the realm, a renewal for twelve years was practically promised. The members were empowered to add to their numbers, to hold meetings in the queen's dominions or elsewhere, to adopt rules for the governance of their trade, and to enforce these rules, as in the case of the Merchants Adventurers, the Muscovy and Eastland companies and the merchants trading to Spain. They were given the monopoly, so far as Englishmen were concerned, of all trade to the dominions of the sultan and the seigniory of Venice. They were besides given various privileges of postponement of customs, of the freedom of their ships from stay at the queen's order, and of repayment of customs on cargoes lost and goods reëxported. The new company was like the more conspicuous of its two predecessors known at the time indiscriminately as the Levant and the Turkey company, though modern usage has adopted the former, which was that officially given by its charter.[1]

Notwithstanding the comparative breadth of its membership, the Levant company suffered from the antagonism of dissatisfied rivals from the very beginning. It exercised the privilege implied if not expressed in its charter of allowing non-members to import into England dried currants and other staple products on payment of a regular sum to the company.

[1] *State Papers, Dom., Elizabeth*, ccxxxiii, 107, ccxxxix, 124, 140, 157, ccxli, ii; *Lansdowne MSS.*, lxxiii, 25–32; *Cotton MSS., Galba*, xi, 116; Hakluyt, vi, 73–92.

Complaints of this exercise of the taxing power on Mediterranean products, of its neglect of the sufficient arming of its vessels, of delay in sending the usual presents to the sultan and of other omissions were made to the government. Their claims also caused conflicts with other merchants trading to the Mediterranean outside of their area. A long and expensive dispute with the company embittered the later life of Michael Lock, one of the most enterprising merchants of the time, whose connection with Frobisher's voyages to the north-west has been already mentioned. The company on obtaining its second charter, in 1592, induced him to become consul at Aleppo on a four years' engagement, although he was at this time already sixty-four years of age. He came into conflict with other officials of the company in the east, was refused payment of his salary and expenses, sued the company in Venice, and sent petitions to the privy council and some of the more influential London members. In 1593, he drew up a statement of fifty-five articles according to which he considered the trade ought to be reorganized, though he acknowledges that he was "never any scholeman nor never synce my childhoold had any schoolmaster but the wyde, wyld world." His account book at Aleppo, showing the detail of his acts and expenses and the payments he received for "consuledge" during 1593 and 1594, still exists to show the extent of English operations in the Mediterranean at the time.

It would be interesting, were it practicable, to know more of the company's servants in the lands with which they traded, of whom, according to a report of 1600, there were almost two hundred. A glimpse of them is obtained occasionally, as in the case of John Udall, prisoner in London in 1593, who petitions for his release on the ground of his agreement with the company to go to Syria in their service for ten years, if he can obtain his pardon, and of Mr. Biddle and Mr. May, successive clergymen in the employ of the company in Aleppo in 1600.[1] In 1593 the company petitioned for a

[1] *State Papers, Dom., Elizabeth*, ccxli, 13, ccxlii, 36; *Acts of the Privy Council*, xxvi, 427, xxvii, 29, xxix, 421–2; *Cal. State Papers, Dom.*, 1591–4,

fuller license to transport tin and lead to the Levant, formerly restricted by certain old statutes. Afterward these staple products, as well as wool, were regularly sent out by the company. In 1600 the company is urged by the council to carry 300,000 pounds of tin to the Mediterranean, and agree to distribute as much of it as they can among the exports of their various members. Interlopers actual or threatened were troublesome to this as to other companies of the time. In 1595 the Dutch ambassador asked protection from the queen for two Amsterdam vessels freighted for Constantinople, but the company made a vigorous appeal to the council to nip this trade in the bud, claiming that if once begun by the Hollanders they could soon ruin the English, and cause the loss of the £40,000 that the company had by this time spent. The English merchants seem to have had no hesitation in acknowledging the superiority of the Dutch in seamanship and trade.[1]

It was a long voyage to the extreme eastern end of the Mediterranean and back, and dangers by storm, pirates or the common enemy brought about the loss of more than one fine vessel and her cargo. The war with Spain was already joined when the Levant company was chartered and as has been seen the danger of capture of its ships was contemplated from its inception. One of its critics suggested that no vessels of less than 180 tons be allowed to be sent out so long as the war with Spain continued, that not fewer than eight or ten ships well manned should go together and not more than three boys be allowed in one crew. In fact the privy council, May 25, 1591, ordered all English vessels in the Mediterranean at any one time to arrange to sail in one fleet until they got well outside of those waters. The special point of danger was of course the Strait of Gibraltar. In 1592 the Catholic traitor Thomas Morgan, who knew most of the larger English

325, 1598–1601, 130; *Lansdowne MSS.*, lxxxii, 190–1; Purchas, xiv, 418; *State Papers, Foreign Archives*, cix; Stevens, *Dawn of English Trade to the East Indies*, 275, 281.

[1] *Cal. Hatfield House MSS.*, v, 137, 166, xii, 415–16; *State Papers, Dom.*, ccliii, 118.

ships by sight, was sent by the Spanish government to Santa Maria not far from Cadiz to watch for such vessels and notify the adelantado, who was then charged to attack them on their passage through the Strait. The English merchants, with their sailing ships, always tried to choose a time when the sea was rough to pass through the Strait, so that they would be less at a disadvantage in a contest with the Spanish galleys lying in wait for them there. They were almost equally likely however to meet a Spanish fleet cruising in the Mediterranean. In 1586 five ships of the old Turkey company, the Merchant Royal, the Toby, the Edward Bonaventure, the William and John and the Susan gathered from various Levant ports at the island of Zante, before starting on their long return voyage. Here they heard rumors of two fleets of Spanish galleys waiting to intercept them, one near Sicily, the other at the Strait of Gibraltar. But the English merchants and mariners "carried resolute minds, notwithstanding all impediments, to adventure through the seas and to finish their navigation maugre the beards of the Spanish sooldiers." They met the first fleet, consisting of thirteen galleys, near Pantolaria, fought with them and defeated them, and thus gave an opportunity to Don Pedro de Leyva, who was in command, to make an acquaintance with Englishmen that he renewed when he and his ship were captured in the Armada two years afterward. Elizabethan story is full of more or less veracious accounts of such conflicts, in which one or a few English merchant ships contended fiercely and successfully against a far larger Spanish force in or about the Mediterranean. A desperate battle was fought between ten English merchant ships and twelve Spanish galleys just within the Strait, April 24, 1590. Another was fought on Easter day, 1591, between the Centurion of London, manned by forty-eight men and boys, returning from a voyage to Marseilles, accompanied by four small vessels, and five Spanish galleys each carrying two hundred men. The fight raged five hours and a half until the Spaniards had so far exhausted their ammunition that they had to load their

cannon with "hammers and the chaines from their slaves." The Centurion finally not only drove off her enemies but boasted that if the other four vessels had given some succor they "had slaine, sunke, or taken all those gallies and their souldiers."[1] In 1600 nine or ten ships on their way from the Levant were laid wait for in the English Channel by two Spanish galleons, but they sank one and captured the other, releasing her after taking what they wanted, because they could not do anything with the five hundred men aboard of her and suspected besides that peace was already made with Spain. The same summer six other Levant ships were attacked in the Strait by five Spanish war-vessels, but escaped. Early in 1602 three Spanish war-ships set upon two English merchantmen from Barbary just outside the Strait but were driven off.[2]

Occasionally the English were themselves the aggressors, even in these merchant voyages. In December, 1586, a little pinnace named the Moonshine, accompanying the Golden Noble of London, left that vessel lying in the port of Algiers, slipped across to the Spanish coast, captured a ship loaded with sugar, hides and ginger, carried both vessels and goods across to Algiers and sold them there as war booty. Nor were the English always victorious. An item in a letter of 1601, "the Spaniards have taken of our Turkey merchants a ship from the Levant worth £40,000," is by no means an isolated case. Letters were sent from time to time by the privy council warning the officers of the company of news they had received of a probable Spanish attack on their ships.[3]

Another form of violence in the Mediterranean reacted on the fortunes of the Turkey merchants, though they were not directly concerned in it, or not supposed to be. This was the frequent seizure of vessels and their cargoes in those

[1] Hakluyt, vi, 46–55, vii, 31–8.

[2] *Cal. State Papers, Dom.*, 1591–4, 169, 263; *Acts of the Privy Council*, xxi, 159; *Chamberlain's Letters*, Camden Soc., Mar. 10, June 24, 1600, May 17, 1602, 73–4, 83, 136.

[3] Hakluyt, *Voyage of John Evesham to Egypt in 1586*, vi, 35–8; Chamberlain to Carleton, May 27, 1601, *Chamberlain's Letters*, 109; *Acts of the Privy Council*, xxi, 135; *Cal. State Papers, Dom.*, 1598–1601, 187.

waters by English war-vessels either under the claim of being contraband, of containing goods belonging to the Spanish enemies of England, or as outright acts of piracy. The records of the later years of the century are full of complaints by various people of such seizures. At one time, before the union of the two companies, the merchants themselves seem to have shared in such expeditions. Sir Francis Drake, who had a commission from the queen dated March 15, 1587, to take four of her majesty's ships in service against the enemy, formed on the 18th of March a "consortship," with the company of merchants trading to Venice, who had prepared ten merchant ships, by which Drake became commander of the expedition and the partners agreed to share and share alike, man for man and ton for ton, anything that should happen to be taken during the voyage. A long series of negotiations for reimbursement for English outrages committed on Venetian ships near Zante in 1598 were scarcely brought to a close when a new set of captures occurred in 1599.

These acts of violence roused the antagonism even of the rulers of Mediterranean states which were in alliance with England, and made much more difficult the peaceful trade of the company's ships. In 1598, angered by such seizures, the grand-duke of Tuscany forbade any English trade at all in his dominions. In the effort to placate him and the senate of Venice, the English privy council, January 24, 1599, issued a proclamation against the seizure of goods in the Levant seas, especially from subjects of those two states. In the same year the company begs the queen to release a ship captured at Lisbon but having some Italian goods aboard, for fear their ships which are scattered at Zante, Cephalonia and Candia should be seized by the Venetian government. The constant attacks on Venetian ships brought an ambassador, Scaramelli, from Venice to England in the last year of the queen's reign.[1]

[1] The Company to the Privy Council, Stevens, *Dawn of English Trade to the East Indies*, 278, 280; *Lansdowne MSS.*, lvi, 175; *Cal. State Papers, Venetian*, 1592–1603, 301, 310, 316, 398–9, 417, 514–567.

Occasionally the activity of English corsairs brought the traders into trouble even with more distant rulers, as in 1588, when they seized two French ships in the Strait of Gibraltar that happened to have aboard some scarlet cloth ordered by the sultan of Morocco. He threatened that unless these ships were restored he would seize all English property and prohibit English trade in his dominions. In 1602 when Sir Thomas Sherley went to Mediterranean waters with his ships of war and a pinnace the company petitioned the council to prevent his proposed actions for fear they should spoil their peaceful trade.[1]

Notwithstanding all difficulties and losses, however, the trade of the Levant company flourished. Soon after the charter was given a group of its merchants appealing from a stay of three of their vessels at Gravesend, just after they had sailed for the Mediterranean, say that not only are they expecting daily seven of their ships from the Levant and several others from the western Mediterranean, but cargoes are lying ready for these vessels for their next voyage. In March, 1599, the company reports that they have at least twenty of their own ships in Italian waters at that time. We hear of seven or eight English ships in the harbor of Venice at one time, of nine or ten arriving at London together. In 1600 they own fourteen ships of their own, employ over 600 men, and have freighted in the year sixteen other vessels giving occupation to 600 more men. In the same year there were 83 members of the company with 189 servants in their employ. Besides these, 57 sons and servants of members had died and been buried in the East, since 1588.[2]

Immediately after the charter was given in 1592 the question of a new present to the sultan came up. It had been some years since there had been any formal presentation and

[1] Chamberlain to Carleton, *Cal. State Papers, Dom.*, 1598–1601, 151, 153, 156, 1601–3, 299, 300; *Cal. State Papers, Spanish*, 1587–1603, 196. *Cal. Hatfield House MSS.*, xii, 576.

[2] *State Papers, Dom., Elizabeth*, ccxlvi, 57, cclxxvi, 60; *Cal. Hatfield House MSS.*, ix, 103–4, x, 214–17; Chamberlain to Carleton, May 10, 1600, Feb. 29, 1600–1, *Cal. State Papers, Dom.*, 1598–1601, 402, 434.

there was reason to believe that this omission was attracting attention and jeopardizing the position of the company at Constantinople. Therefore in 1594 preparations were begun and in 1595 six chests of fine woollen cloths of various colors, a number of pieces of fine linen and some silver cups, candlesticks and other vessels were taken out by Mr. Barton and presented to the sultan with all due formalities.

Soon after this presentation however Amurath III died, January 6, 1595, and the question immediately came up of a worthy present to his son and successor. The English envoy in Constantinople called the queen's attention to the necessity of conforming to the usual practice in this case, and the merchants repeatedly urged her to send a special ambassador with congratulations and presents to the new sultan. The company knew to their cost that they would probably have to bear the expense, but their trade in Turkey was dependent on the good will of the sovereign and the present must come in the name of the queen. Twice therefore in the year 1595 and from time to time afterward the company, as well as others interested, urged the secretary and the council to induce the queen to send her formal greetings to the new prince and some suitable present, as other sovereigns had done within his first year. Time passed on however so that it was only in 1599 that one of the company's ships finally sailed with a present for the sultan; this time consisting of an organ with many interesting mechanical attachments.[1] In the meantime, Barton, who had served successively as envoy and ambassador for nine years, became ill and retired to the island of Halki, ten miles from Constantinople, where he died in 1597, and where his grave is still marked by an inscribed stone. He was succeeded by John Lello who served as ambassador during the remainder of Elizabeth's reign.[2]

[1] *Cal. Hatfield House MSS.*, v, 486, xii, 249, *Harleian MSS.*, ccxcvi, 200–208; *Cal. State Papers, Dom.*, 1595–7, 162, 247; Rosedale, Queen Elizabeth and the Levant Company, 5–16, 42–64; Dallam, *Diary, 1599–1600*, Hakluyt Society.

[2] Pears, *Eng. Hist. Rev.*, vii, 116, viii, 446–466.

The amount of payment due from the company to the government was a matter of dispute, and a varying policy seems to have been followed by the officials of the treasury. In [illegible] thirty-eight members of the company signed an appeal to the secretary, lord treasurer and lord admiral to consider again the payments they were forced to make upon their importation of currants and oil from Venice, which they [illegible] their trade unable to bear, but no record has been found of an answer to this petition. On the other hand there is no doubt about their practice of collecting impositions upon currants imported by merchants not members of their company, as the earlier company had done and Acerbo Vennelli before them. As the volume of trade became greater in the closing years of the century, this practice gave them a large income, which they used to pay the expenses of the ambassador and consuls in Turkey, although it was collected principally from Venetian trade. Thus the whole trade of the Levant company was left unburdened. Its expenses were paid by outside merchants, and neither the queen nor the community profited. Prices were high and the queen was losing the benefit of what might be a lucrative tax. This power to collect impositions from non-members was, as has been before stated, only an implied, not an expressed power in the company's grant, and the abnormal condition of affairs attracted the attention of the treasury officials. Richard Carmarden, surveyor of the custom house of London, in 1600 reported the matter to the queen, and pointed out to her that the Levant company was wronging her by using her royal prerogative to tax her subjects. The matter was immediately taken up, a bitter dispute broke out, and it was determined by the queen to demand additional payments. The practices of the company were made to seem unfair by an offer to the queen from some other merchants to pay [illegible] 6d. on every hundredweight of currants imported, 6 ducats on every hogshead of wine and 5s. on every barrel

[illegible] *Papers, Dom. Elizabeth*, clxv, 58, ccxix, 86, cclxv, 78; *Lansdowne MSS.*, xxxvii, 208, xxxviii, 118-120.

of oil, and at the same time to keep up all other payments made by the company.[1]

When the company's ships arrived in the Thames in May, 1600, after their two lucky escapes from the Spaniards in the Strait and the Channel already mentioned, the merchants of the company refused to pay the impositions on the currants and wine demanded from them. They were then called before the privy council, once in June in the star chamber and again in the council chamber, and their governor and leading members confronted by Carmarden and other officials. As a result of their contumacy and of some legal doubts as to the validity of their charter their grant was declared void by the queen and they were ordered to give up their trade. In the meantime on petition they had been allowed to give bonds for the payment of what should finally be decided upon, and to unload their goods. For a while the queen determined to set the whole trade open, collecting the old impositions herself. Then it seemed likely that the offer of the outside merchants would be accepted. Finally, however, when, on the 12th of July, 1600, the old company made a humble submission, excused their former resistance, and offered to pay £4000 a year to the crown in a lump sum as a commutation for all other payments, their proposition was accepted. Their old charter was yielded up and a new patent was signed at Westminster in December, 1600, renewing their old privileges for fifteen years on the payment of the annual farm of £4000.[2]

Even this settlement however did not prove satisfactory. The exchequer records show the payment of this sum for the next two years and we know the company collected 10*s*. a hundredweight on currants, 5*s*. a barrel on olive oil, and 3*s*. a hogshead on wine from merchants not members of the company. Yet on the death of the queen, the company was

[1] Thomas Smythe to John Sanderson, Sept. 12, 1600, Stevens, *Dawn of English Trade to the East Indies*, 280.

[2] *State Papers, Dom., Jas. I*, XX, 25; *Acts of the Privy Council*, XXX, 363, 465; Carr, *Select Charters of Trading Companies, A. D., 1530–1707*, Selden Society, 30–43.

£2000 in debt to the crown and seems to have deliberately relinquished its patent rather than pay these arrears. It was not until well into the next reign that all disputes were settled, the Levant company obtained a new and broader charter and entered upon a continuous career that was to last for more than two centuries.[1]

[1] *State Papers, Dom., Elizabeth*, ccxix, 82, ccxli, 12, 13, ccxlii, 36, cclxxv, 27, cclxxxv, 21, *Jas. I*, iv, 46, vi, 69, x, 27, 30, xx, 25; *Cal. Hatfield House MSS.*, xi, 579–81, xii, 249; Epstein, 40–46; Durham, *Trans. Royal Hist. Soc.*, xiii, 205, etc.; Carr, xli.

CHAPTER XVIII

TRADE WITH MOROCCO AND THE GUINEA COAST

IF in sailing from England the Strait of Gibraltar is passed instead of entered, a region and group of seaports is reached whose trade and political control were already then, as they have been almost constantly since, the object of desire and dispute on the part of European nations. This is the country then called indiscriminately Morocco and Barbary, with its ports Asafi and Agadir or Santa Cruz. It will be remembered that one group of London merchants was looking toward this region for trade at the same time that another group was organizing the voyage to the north-east that opened up the Muscovy trade. This expedition, under Thomas Windham, arrived in Morocco in 1551. Even before this time there must have been some sort of connection between the two countries for on these vessels two Moors of rank were carried back from England to their native country. A second voyage was made in 1552. Messengers who were sent inland to the capital obtained privileges of trade from the sultan, the goods which they had brought from England were successfully disposed of, and a lading of sugar, molasses, dates and almonds obtained in return. Merchants continued to visit the Barbary coast, and a profitable trading connection gradually became established.

During the two years 1574 and 1575, imports amounting to £28,639 were brought to London from Barbary. In 1577, London merchants are spoken of as trading regularly every year to Morocco. The ambassadors who were sent in 1577 and 1585 found English merchants established at Asafi and Morocco, and several English vessels besides their own at anchor in the port. In 1582 two hundred and thirty-seven packs of goods were loaded in the Mary Martin for Bar-

bary at the wharf at Blackwell. In 1584 over a thousand chests of sugar were brought in from Barbary; in September, 1588, twenty-seven merchants are enumerated as having imported over 1000 chests of sugar. In addition to sugar, tropical fruits and nuts and a few other articles of Moorish production there was great hope of obtaining saltpetre, so necessary in the production of gunpowder, from the mountains of the interior. Letters were sent to the sultan by the queen, the earl of Leicester and Sir Thomas Gresham asking for aid in obtaining this commodity, and some at least was secured.[1]

Ultimately these traders were organized, as in other places, into a chartered company. They asked for complete incorporation, but their charter, which was granted July 5, 1585, to endure for twelve years, was, like the grants to the Turkey and Venetian merchants, a grant of monopoly of trade, but not a charter of incorporation. It gave them the right to hold meetings and to adopt and enforce rules to govern all English trade with the dominions of the sultan of Morocco; but it did not give them any official name or seal, or any such extensive semi-political powers as had been given to the Staplers, Merchants Adventurers, Muscovy and Eastland companies, or to the successive companies formed for commerce by way of the north-west passage. Moreover this grant contemplated the continuance of trade to Barbary by persons not members of the company, though it required them to be subject to the company. The principal controllers and beneficiaries of the trade were the earls of Leicester and Warwick. Besides these there were thirty-nine merchants named in the charter, most of whom, such as Staper, Gerrard, Stile, Bond and others, were either original adventurers in this trade or already members of one or more of the older companies.

[1] Hakluyt, iv, 33, v, 172, iv, 156, 161, 162, 273–5, *Cal. State Papers, Dom.*, 1581–90, 582, 613; *Cal. State Papers, Foreign*, 1572–4, 689; *State Papers, Dom., Elizabeth*, ccxvi, 42; *Lansdowne MSS.*, xxxv, 112, *Cotton MSS., Nero* B, ii, 298–9.

As in other cases the charter was not granted without protest, some merchants complaining of their own exclusion, others of the strictness of the monopoly granted. These arguments were answered at length by the applicants for the charter and it was pointed out that the formation of the company would rather prevent than permit control of the trade by "a few wily heads," besides the other advantages of organization. Not only was the charter exactly in line with the privileges given to the Turkey and Venice merchants during the previous six years, but it was justified by the importance of the products to be imported, not only for the convenience but the defence of England. Nor does the trade seem to have been very profitable. It was considered by conservative merchants soon after this time that too many had been admitted to the company, so that their competition brought down the price of their own goods and enhanced the price of the sugar they were buying in Barbary. Five years after the death of Leicester his creditors were still seeking repayment of money lost in Morocco ventures.[1]

In the meantime the commercial connection had led, as usual, to diplomatic relations. Edmund Hogan was sent over by the queen to the sultan of Morocco and Fez in 1572, and again to his successor Muley Abd-el-Melech in 1577. We know nothing of the first visit. At the second, which was intended to knit closer the bonds of trade, to secure freedom for English slaves in Morocco, and to decline as gently as possible the sultan's request to be allowed to purchase artillery and gunpowder in England, Hogan was well treated and returned with his explanations accepted, his requests all granted and bearing a personal letter from the sultan to the queen. Eight years later, immediately after the organization of the Morocco company, another ambassador, Henry Roberts, was sent to the Moorish capital and remained there three years, from 1585 to 1588. He was treated with much consideration

[1] Hakluyt, vi, 419–25; *Cotton MSS., Nero* B, viii, 65; *State Papers, Dom., Elizabeth*, clvii, 85, 86, ccxxxix, 44; *Cal. State Papers, Dom.*, 1547–80, 183, 1581–90, 83, 1591–4, 58, 387.

by the new ruler, Muley Hamet, and when he returned to England he was accompanied by a Moroccan envoy to Queen Elizabeth. They sailed from Agadir, landed at St. Ives in Cornwall, four months after the great Armada had sailed past there on its retreat, rode overland to London, and entered by torchlight on Twelfth-night, 1589, being met and escorted by forty or fifty members of the Morocco company, all on horseback. Mushed Reys, the Moroccan envoy who had come with Roberts, offered in the name of his master a closer alliance with Elizabeth against Spain, agreeing to serve in person and with men, and if the fleet now preparing for the restoration of Don Antonio should come within the Strait to join it and deliver to the queen 15,000 ducats. The ineffective result of this negotiation has already been told in connection with the history of the Portuguese expedition of 1589.[1]

The question of slavery came up here as it had in Turkey. While Roberts was in Morocco a written promise was given by the sultan that no Englishmen should ever be enslaved or kept in captivity in his dominions. Nevertheless a few years afterward when the Toby, a vessel of the Venice merchants, was wrecked on the shores of the Strait, the twelve survivors of the shipwreck were taken into captivity by the natives and did not secure their liberty till, long afterward, they were taken to the capital and there ransomed and sent home by the English merchants.[2]

The trade with Morocco, after the formation of the company in 1585, did not flourish as did that of the Levant company. We have seen it used by the applicants for the Levant charter in 1591 as an example of the dangers of overtrading, and some of its own members report in the same year that it is "not worth following." Nevertheless their trade continued, especially that in sugar. The demand for sugar in England was continually rising with the increasing habit of its consumption. It was still however a great luxury, its price ranging from ninepence to fourteen pence per pound.

[1] *Lansdowne MSS.*, lix, 1–3; *Supra*, 156, 180.

[2] *Harleian MSS.*, xxxvi, 303–4; Hakluyt, vi, 429; vii, 126–9.

The importation of sugar on a large scale led to the growth of sugar refining in London. In 1593 there were seven refineries; and much raw sugar brought in from Barbary, St. Thomas and Brazil was refined and then reëxported to the Low Countries, Germany and other countries. An effort was made by the company in 1595 to obtain a monopoly of the oversight and regulation of this whole trade.[1]

The monopoly of a commodity which was becoming so widely used as sugar was sure to rouse conflict, and although this particular application does not seem to have been granted, the partial control exercised by the Morocco company made many enemies. In August, 1589, the wardens of the Grocers' company made a bitter attack on the policy of the Morocco company and contrasted existing conditions very unfavorably with those previous to 1585, when the company had obtained its charter. In 1597 certain hides that the Barbary merchants had imported were declared unfit for use by the wardens of the leather-making industries, and the owners had to ask permission from the government to export them again. They had trouble also with interlopers. Certain merchants had furnished the sultan with oars for his galleys, muskets, cordage, sword blades and other weapons, which was "an unchristian thing and a great slander to her majestie's realm." In return for these favors the sultan forced the company to carry the return cargoes of these merchants on their ships and gave them advantages in securing goods in his dominions. Although these apparently were outsiders, the sultan became deeply indebted to certain merchants of the company and for their sake care had to be taken not to allow a breach to occur, for fear their claims might be lost.[2]

These and other causes led to a continuation of diplomatic

[1] *State Papers, Dom., Elizabeth*, ccxxxix, 44; *Cal. State Papers, Dom.*, 1581–90, 582, 613, 1591–4, 359–61, 1595–7, 97; Shillington and Chapman, *The Commercial Relations of England and Portugal*, 174.

[2] *State Papers, Dom., Elizabeth*, ccxxv, 72; *Cal. State Papers, Dom.*, 1595–7, 97; *Acts of the Privy Council*, xx, 164, xxii, 186, *Cal. Hatfield House MSS.*, vii, 277, 538, 544; *Lansdowne MSS.*, cxii, 120.

relations, and ambassadors from Barbary were repeatedly in England during the last years of Elizabeth's reign. In 1599 it was rumored in Europe that the queen had obtained from the sultan the possession of a port on the Mediterranean coast from which she could harass the king of Spain. In 1600 there was a dispute between the Levant and the Barbary merchants as to who should carry the ambassadors back to Morocco. They had come on Levant company's ships and wanted to go back by way of a Turkish port, but both companies seem to have felt it something of a scandal to have too much to do with infidels, and the Turkey merchants had to make a long fight before they succeeded in relieving themselves of the duty. English physicians were in demand here as in Russia, at the other extreme of English commercial intercourse, and in 1601 the queen at the sultan's request sent with the returning ambassador two such men, John Roleff, "a man of learning," and Richard Edwards, an apothecary.

The grant of the company's charter, which had been for twelve years, ran out in 1597. In September, 1600, it had not yet been regranted, although a letter from the privy council written at that time, giving them a warrant to adopt certain rules for the regulation of trade in the interim, contemplates the reëstablishment of their position, this time as an incorporated body. No evidence, however, has been found to indicate their later incorporation in Elizabeth's reign.[1]

The "searching and unsatisfied spirits of the English" to which the chronicler already quoted refers, were not likely to open up intercourse with Morocco and leave unvisited the productive coast of Africa beyond the Sahara. This vast coast region, stretching southward and eastward more than fifteen hundred miles, and known by the general name of Guinea, was the first-fruits of modern exploration, and had been habitually visited by the Portuguese and through them made known to the rest of Europe ever since the middle of the

[1] *Cal. State Papers, Dom.*, 1598–1601, 398, 478; *Cal. State Papers, Venetian*, 1592–1603, 818; *Acts of the Privy Council*, xxx, 521, 679, 685–7, 691, xxxi, 365.

fifteenth century. It was known to be populous and rich in various articles desired in Europe. Gold, ivory and "grains of paradise" had long been brought overland, across the Sahara, for sale at Tripoli and other ports on the southern coast of the Mediterranean. The last named article, which is frequently mentioned in the trading records of that time, is *amomum meleguetta*, a kind of cardamum similar to that brought from Java, and is now more commonly known as meleguetta pepper or Guinea pepper. Although now of quite minor importance, it was then very popular as a spice, brought a high price, and was well enough known to have given its familiar name of Grain Coast to this part of the coast of Guinea.[1]

The attention of the English was drawn to the possibility of reaching this region by sea by certain Portuguese exiles living in the English seaports. The same group of merchants who had sent Windham in the Lion to Morocco in 1551 and 1552 as a result sent him to Guinea the next year, 1553. They secured the services as joint leader of the expedition of a Portuguese, Antonio Aneas Pinteado, and manned and equipped for the voyage the Lion, the Primrose, a vessel of the royal navy launched at Deptford two years before and loaned to them by the king, and a pinnace called the Moon. Windham made his way to the river Sesto, and trading for gold and Guinea pepper followed the coast eastward all the way to Benin. Pinteado and a party went up that river a hundred and fifty miles, visited the black potentate who ruled there in considerable state, and found that he could speak Portuguese, which he had learned in his youth. Within a short time they had induced him to collect some eighty tons of pepper. But in the meantime the sailors on the vessels at the mouth of the river had been smitten with a tropical fever and were dying four and five a day. The commander summoned Pinteado and his party back, but rather than abandon their freight, some of them remained at the king's court. The fever became constantly more deadly

[1] Mary H. Kingsley, *West African Studies*, 56–62.

till Windham and Pinteado both died and the survivors, destroying one of their vessels for lack of a crew, made their way homeward as best they could. Of a picked crew of one hundred and forty who had sailed from England, barely forty men, broken and sick, came again into Plymouth. Not deterred by the misfortunes of this voyage, the same merchants the next year, 1554, fitted out a little fleet of three ships and two pinnaces under another captain and sent them to the Guinea coast. This time everything went more favorably; they traded with the natives along the coast as far as the river Mina, making their way into a number of the river mouths, and brought home with them some four hundred pounds weight of gold, thirty-six hogsheads of pepper and some two hundred "elephants' teeth," or tusks of ivory. Hakluyt himself had the satisfaction long afterward of taking down notes of this voyage from the lips of its pilot, and of lifting, with some difficulty, the elephant's skull and upper jaw which they brought home with them. This trophy, he says, was kept "in the house of the worthy marchant, Sir Andrew Judde, where also I saw it, and beheld it not merely with my bodily eyes, but much more with the eyes of my mind and spirit, considering by the worke the cunning and wisdom of the workemaister." [1]

From this time forward scarcely a year passed without some expedition, profitable or calamitous, to the Guinea coast. But even when a majority of the crew died from sickness, when risks were many and losses heavy, the net returns were almost invariably profitable to the merchants who had sent out the expedition. A vessel came home in 1562 with only twenty sound men of the whole crew, twenty-one having died and the remainder being sick or hurt, but they brought back one hundred and sixty-six elephants' tusks, weighing 1758 pounds, and twenty-two hogsheads of pepper. It was on the return from such a voyage that the old Tiger of London which had been so often to Barbary, Guinea and elsewhere

[1] *Journal of King Edward VI;* Hakluyt, vi, 141–177; Morgan and Coote, *Early Voyages to Russia*, Hakluyt Society.

on long voyages, leaking badly and with a crew insufficient to keep her afloat, had her cargo and men transferred to one of the other vessels of the fleet, and was turned adrift as a derelict off Cape Verde, just north of the equator.[1]

This trade and that with Morocco had to grow up against the protests of Portugal. The king of that country claimed the political sovereignty and the sole right to trade with the whole west coast of Africa, along with Brazil and his dominions in the East Indies. When the news of English voyages to Morocco and Guinea reached Portugal, mingled as it was with complaints of the excesses of English seamen provided with letters of mark, protest was promptly entered. Portuguese merchants both in England and at home made dire threats against English intruders into those regions, and a Portuguese ambassador early in April, 1561, made formal complaint to Elizabeth. A series of conferences ensued. The queen finally declared herself willing to accede to the demands of the king of Portugal, and ordered the lord admiral to issue a general prohibition of such voyages. The proclamation was however couched in somewhat equivocal terms. After stating that she knew no reason why her subjects should not, so long as they paid the proper duties, sail into any ports subject to the king of Portugal, since she was in amity with him, the proclamation proceeds, "Yet at the instant request of the said king made to us by his ambassador, we be pleased for this tyme to admonish all manner our subjects to forbeare anie entry by navigation into any the said parts of Ethiopia in which the said king hath presently dominion, obedience and tribute."[2]

The English merchants and sailors do not seem to have taken this injunction very seriously, nor indeed did the queen herself, for although the proclamation was issued in April, 1561, in September of the same year Sir William Gerrard, Thomas

[1] Hakluyt, vi, 177–254.

[2] *Cal. State Papers, Foreign*, 1561–2, 72, 77, 78, 90; Bekker, *Der Afrikahandel der Königin Elisabeth von England und ihre Handelskrieg mit Portugal*, 32–36; Dyson, *Proclamations*, 34.

Lodge, the lord mayor and other prominent merchants of London drew up instructions for Captain John Lock to go on a new voyage to Guinea, and the lord admiral received orders to loan them four of the queen's ships. Nothing was accomplished that season, but the next year, 1562, Elizabeth formally granted the Minion and the Primrose, ships of the royal navy, to the same merchants for the voyage, she to receive one third of the profits of the venture, and later she added the Jennet to the fleet. She guarded herself, however, by the provision that they must go to parts "where the kynge of Portugal hath not presently dominion." [1]

During this voyage two successive conflicts with Portuguese caravels and galleons were fought on the coast of Guinea, the English ships in each case giving proof of their unwarlike intentions by sailing away, when defeated, to a more remote part of the African coast, where they continued to trade with the natives. The news of this voyage brought another Portuguese ambassador to London, in May, 1562. He explained at great length and with much clearness, force and courtesy the nature of the Portuguese claim on the Guinea coast. The queen and council sought information as to the extent of Portuguese occupation from Captain Martin Frobisher who had spent almost a whole year at Mina and knew the coast well. He reported that Portugal had scarcely any settlements or influence east of the cape of the Three Palms, and with vivid exaggeration declared that both English and French shipping was more familiar there than Portuguese. The queen thereupon simply referred the ambassador to her acquiescence and proclamations of the year before, and refused to make these any more explicit. The ambassador handed in a last protest and left London, stopping at Paris however to send back to the young queen a present of ten pairs of perfumed gloves. In 1563 and 1564 the same merchants sent fleets to the Guinea coast, in the second of these the queen being again an adventurer with two ships of the

[1] *Cal. State Papers, Dom.*, 1547–80, 215, 247; Marsden, *Select Pleas in the Court of Admiralty*, Selden Soc., vol. ii, lxxxvii.

royal navy, for the use of which she received as before one third of the profit of the whole voyage. This was followed by a third Portuguese embassy with the same results as before.[1]

So the voyages and the disputes continued. Galleys and caravels were regularly sent from Portugal to intercept the vessels of English and French interlopers, and repeated conflicts took place off the various Portuguese settlements along the African coasts. These engagements consisted, it is true, largely of chase and flight, according to the relative strength of the fleets involved; but instances of serious fighting and substantial loss inflicted were not unknown. The Portuguese also attempted to reach the same result by forbidding the natives to exchange their gold dust, ivory and pepper with English merchants, and thus by overawing them threw serious obstacles in the way of English trade. These armed conflicts and successive intrusions of the fleets were in turn followed by new attempts at a diplomatic settlement, and envoys went from England to Lisbon as well as in the other direction. Spain was drawn into the discussion. English merchants living in Lisbon and other Portuguese towns themselves protested against actions which endangered the old and assured trade between England and Portugal. On the other side the trade with Morocco became involved in the same dispute. More than once all questions of dispute were brought to the verge of settlement but the conflicting interests of the two nations prevented an agreement.

The claim of the English was, first, that the colonial ports of Portugal should be as open to them as her home ports were, and, secondly, that the Portuguese had actually conquered and subjected to their dominion only a few scattered points on the African coast, and that this gave them no right to exclude other nations from intervening stretches of the coast. Portugal on the other hand, basing her claims on the treaties made when she and Spain were the only nations with oversea possessions, and anticipating the development of a colonial

[1] Bekker, *Der Afrikahandel der Königin Elisabeth von England*, 39–46.

policy which became universal in the next century, tried to exclude all foreigners from her possessions in Africa, South America and the east, and claimed to have sovereign rights over all the regions she had discovered, even when she did not actually occupy them. But such reasonings had not much to do with the contest. There was little respect on the coast of Africa for the abstractions of national policy or international law. The English never refrained from entering an African port because the Portuguese had a station and a fort there; and the Portuguese attacked English vessels and seized and held Englishmen in captivity without compunction, notwithstanding the amity of the two governments. Year after year passed away and it was not until October 29, 1576, that a treaty was finally signed. But this was only entered upon provisionally for a period of three years, and all questions of African trade were left unmentioned in it.[1]

By this time, as already indicated, trade relations between England and Morocco were being regulated by direct agreement with the sovereign of that country, and the three years of the treaty had scarcely expired before Portugal became a part of the dominions of the Spanish king and was gradually drawn into the great conflict between England and that country. In the meantime voyages to Guinea were made in 1577, 1585, 1587, and probably in other years. The merchants brought back good cargoes not only of wine, gold and pepper, but of palm oil and palm soap, "that smelleth like beaten violets."[2]

The merchants who traded to Guinea remained for a long time without incorporation or any form of organization, such as we have seen given to every other group of English merchants who possessed at this time any distinct sphere of commerce. Although the trade had been established as early as 1553 and much of it continued to be carried on by those who had been its pioneers, they had no charter. This

[1] *Ibid.*, 48–72.

[2] Marsden, *Select Pleas in the Court of Admiralty*, Selden Soc., vol. ii, lxxiii; *Lansdowne MSS.*, lv, 68; Hakluyt, vi, 259–292.

was perhaps due to the continued Portuguese protests against the existence of the trade, perhaps to the large element of the slave traffic in it, perhaps in part to the fact that its control was gradually passing from the hands of the influential merchants of London into those of west of England men, who were not so well organized. To a group of these a patent was given for a ten years' monopoly of the trade of a stretch of about a hundred leagues of the coast of Sierra Leone, in 1592, but nothing is known of the use they made of it.[1]

In the meantime under the guidance of certain Portuguese exiles some men of Devonshire opened up trade with a stretch of the coast between Morocco and Guinea proper, corresponding closely to the region now known as Senegambia. Although not producing gold and ivory as abundantly as the coast further south, and too long connected by commerce with Portugal, Spain and France to be available as a general slaving ground, it had valuable products of its own, there being nine well-established trading places within its limits. In February, 1587, some merchants of Taunton agreed with Sir Richard Grenville and two Portuguese to go on a voyage to this coast, but the Portuguese seem to have obtained better offers elsewhere and broke their agreement. Later in the same year several men of Exeter actually carried out the voyage and the Taunton men were only debarred from joining them by a sudden stay of all ships in harbor on the order of the vice-admiral.

In connection with these later voyages the old claims of Portugal to the control of this trade took a new form. King Antonio, the pretender, was already in England, and although in receipt of a pension from Elizabeth had fallen into debt to the extent of some £8000. The Portuguese who acted as guides to the English merchants going to the Senegambia coast seem to have been in communication with him and to have suggested a negotiation in which the exiled king, the merchants, the queen and the king's creditors were all concerned.

[1] Hakluyt, vii, 102.

In connection with this Antonio issued in February, 1587, a proclamation forbidding all Englishmen to trade to the Guinea coast without a license from him, and at the same time offered, if the queen would charter a company, to allow them to trade there for ten years on payment to him of five per cent of their imports. He would in turn hand over these customs and the forfeitures from interlopers to his English creditors. A number of merchants, including eleven from Taunton, five from Exeter, one from Barnstaple, one from Collington and two from London, petitioned the queen for a charter on these terms, promising to satisfy King Antonio for his claims. The queen gave to five of these merchants of the Devonshire towns and the two from London a patent dated May 3rd, 1588, securing to them and their associates for ten years the sole traffic with a region of the coast about a hundred miles long, stretching from the river Senegal to the river Gambia. The charter gave the usual powers, including the right to hold meetings in Exeter or elsewhere and to adopt and enforce rules for the government of trade to the region of which they possessed the monopoly. Two weeks later, on the 20th of May, a contract was signed between these merchants and Antonio, by which they agreed to pay him the customs he claimed and to perform certain other stipulations. This agreement was afterward known as the contract of Cape Verde.[1]

The merchants gave the king £150 in advance, to be deducted from their customs in the next two years, in order that he might use the money for some of his immediate needs, and some time afterward paid £190 to some of his servants who were in actual want. Before going on the Portugal voyage in March, 1589, the king gave bonds for repayment from the Guinea dues to such of his creditors as would accept this security for their loans; but several of them preferred to take their chances of the success of the great expedition then in preparation, and only after the invasion of 1589 had failed

[1] *Lansdowne MSS.*, lv, 68, 72, 74, 76; Hakluyt, vi, 443–450, vii, 90; *Additional MSS.*, vol. 30, 567, fos. 194–200; *Acts of the Privy Council*, xvi, 294, xvii, 88.

dropped back on the gains hoped for from the African trade. The new company began operations promptly, sending out four fleets within the succeeding four years. Their monopoly was vigorously asserted and when some merchants of Taunton who had laden a vessel with merchandise to sell in Guinea ostensibly for the purpose of redeeming an Englishman held captive there, they could only continue their voyage by procuring special letters of protection from the privy council.[1]

The arrangement with Don Antonio however did not work out satisfactorily. The merchants claimed that the trade was unprofitable and refused or neglected to pay any customs to the king or his agent. Antonio's creditors, at the same time, becoming restive, appealed to the council asking that the king be forced to pay his bonds out of the allowance made him by the queen, if he could not pay them out of his customs. Antonio declared that this allowance from the queen was only £1200 a year, not £4000 as claimed by his creditors, that the company understated the value of their imports, that they had brought two negroes over in their ships against the will of the native king of that country and thus endangered the lives and property of Europeans there, and that they were withholding money due to him or his creditors according to the contract of Cape Verde. The most prominent member of the company, Anthony Dassell of London, had also, he claimed, carried on traffic without the consent of his fellow-members. In August, 1592, therefore, he petitioned the privy council to revoke the charter, force Dassell to pay his customs for the goods he had brought in fraudulently, and seize all his imports of the year 1591, on the ground that he was practically an interloper. In October Dassell gave a detailed reply. The matter was referred to the judge of the admiralty for investigation and the contest seems finally to have been dropped, leaving the company in possession of such advantages as it could draw from its somewhat dubious privileges.

Among the state papers exists a draft, dated January, 1598, of a new charter, reciting that the old charter granted to the

[1] *Lansdowne MSS.*, clvii, 131–7; *Acts of the Privy Council*, xvi, 294, xvii, 88.

merchants trading to Guinea for ten years in May, 1588, was about to expire, and that, as it was advisable that the trade should continue, the queen regranted the same to the earl of Nottingham, lord admiral, Sir John Stanhope, treasurer of the chamber, and others, with leave to reëxport all such commodities as should be imported from that region, except gold and silver. Whether this proposed reissue of the charter was ever completed or not does not appear, and with this incident the history of the Guinea company in the reign of Elizabeth closes.[1]

[1] *Acts of the Privy Council*, xxiii, 124; *Lansdowne MSS.*, clvii, 131–7; Hakluyt, vii, 98–102; *State Papers, Dom., Elizabeth*, cclxvi, 34.

CHAPTER XIX

SLAVING, MARAUDING AND EXPLORATION SOUTH-WESTWARD

THE year 1562, when the queen joined as a partner for the first time in one of these trading expeditions to Guinea, saw the first voyage to Guinea of John Hawkins, of Plymouth, which was the opening chapter of a more extended and more sinister story. The expedition of 1554, the second to Guinea, had brought home several negroes. These men were kept in England and apparently well treated, but in a later expedition five natives of Guinea had been captured and sold for five chests of sugar to the Portuguese, among whom slavery was already widely established. This seems to have been the first instance of English slave trading.

Hawkins, who was familiar with the Portuguese slave captures in Guinea, and had also made several voyages to the Canary Islands, had there obtained knowledge of the fact that negro slaves were much in demand among the Spanish planters in the West Indies. The number they could obtain was however restricted by the policy of the home government. His father, old William Hawkins, had traded both on the coast of Guinea and in Brazil thirty years before, and the younger man may well have learned from him much about conditions on both sides of the sea. As a result of his experiences and observations he formed the project of capturing slaves on the Guinea coast and selling them in the West Indies. He succeeded in interesting in his plan several wealthy men in London, who became adventurers and contributed the funds necessary to fit out a fleet of three vessels. The odious story of the success of this expedition; Hawkins' capture of three hundred negroes in Sierra

Leone, "partly by the sword, partly by other means," his voyage across the broad Atlantic, and the sale of his booty in the ports of Hispaniola is familiar enough to justify but a brief mention of it here. For the future there was another product of the African coast which had value for English traders, and was only too likely to attract them. There was also another direction in which vessels might sail, and with the lands to the southward and westward, as a result partly of the slave trade, partly of legitimate trading, partly of marauding and later of warlike expeditions, Englishmen gradually became familiar.[1]

After 1562, the old Guinea trade and the slave trade ran closely parallel. In 1564 we hear of a meeting of five of the London merchants who had sent out the fleets of 1561, 1562 and 1563, at the house of one of their number, Sir William Gerrard. Each of the partners subscribed a substantial sum for a trading voyage to Guinea and they engaged again the queen's ship, the Minion, and two London vessels, the Merlin and the John Baptist. The fleet had scarcely left the Thames when it fell in with a second slaving expedition under John Hawkins which had just sailed from the harbor of Plymouth. His fleet consisted of a great ship of the queen's navy of 700 tons, bearing the singularly inappropriate name of the Jesus, and three other vessels. The two fleets sailed together for a while, but before reaching Africa separated, one to trade for gold, ivory and pepper, the other to ravage the coast for slaves which were later taken to the Spanish West Indies. There, by a policy of mingled threats and lying, Hawkins sold his dark cargo to the Spaniards of San Domingo and the mainland, coasted along the shores of Jamaica, Cuba and Florida, and returned to England with great profit to the adventurers and with the loss during the whole voyage of but twenty men out of the one hundred and seventy in his crew.

It is a curious commentary on the thought of the Eliza-

[1] Hakluyt, x, 7–8; C. R. Markham, *The Hawkins Voyages*, Hakluyt Society, ii–iv, 3–4.

bethan period that not a word of disapproval of this slave raiding and selling is heard. Hakluyt speaks with evident satisfaction of Hawkins' discovery of the profitableness of this trade, and the confidence in it of his "worshipfull friends of London." John Sparke, who wrote the account of the second voyage, describes with sympathetic interest, sincere appreciation and almost scientific accuracy the towns, the customs and the physical shapeliness of the native Africans, but in the same account reports the plundering and kidnapping of them, with unctuous references to "God's help and the Captaine's diligence," and to "Almightie God, who never suffereth his elect to perish." When their party had nearly fallen into the snare they had themselves set for the natives he remarks, "But God who worketh all things for the best would not have it so, and by him we escaped danger, his name be praised for it." [1]

The second voyage of Hawkins to Guinea, with its profitable outcome, was soon followed by a third. In this expedition, which sailed from Plymouth in 1567, and in which Hawkins had the use of the queen's ships the Jesus and the Minion, as well as four other vessels, he made use of a new method of securing negroes. He entered into alliance with one native king in his war with another, and took his share of the booty in the form of the conquered tribesmen, their wives and children. With some four hundred negroes, obtained for the most part in this way, with his fleet and company he sailed to the West Indies, forced an entry into the Spanish harbors, disposed of his cargo and started homeward. Driven southward soon after starting by a great storm, he was forced to enter the harbor of San Juan d'Ulua, the port of the city of Mexico. Here the English adventurers had a conflict with a Spanish fleet of thirteen vessels bearing the viceroy, in which they lost all their ships but the Minion, with all the earnings of their voyage. With much difficulty and suffering, after many wanderings and dangers, they returned to England an impoverished remnant in January, 1569.

[1] Hakluyt, vi, 262, x, 9–63.

This expedition of Hawkins with its unconcealed violence, its attacks upon fortified towns, its capture of Spanish passenger vessels in the West Indies, and the catastrophe at San Juan d'Ulua might be considered to belong clearly in the sphere of the impending war with Spain, rather than in the line of progress of exploration and the extension of commerce, except that it became the immediate occasion for another expedition which, though even less of a trading venture, carried English navigators on the longest of their many voyages of this period. The losses at San Juan suffered by Francis Drake, a nephew of Hawkins and a participant and investor in his expedition, were construed by him as justifying reprisals upon the Spaniards wherever they might be found. Therefore three years after the return of that expedition, in 1572, with a little fleet and a handful of men, Drake made an unsuccessful attempt to pillage Nombre de Dios, the terminus of the Spanish carrying route across the isthmus of Panama. Leaving the town after his failure and following the difficult trail on up the course of the Chagres river, he burned a quantity of Spanish merchandise which he captured but could not carry away, and killed six or seven Spanish merchants. By lying in wait for the trains of mules carrying bullion and plundering them of their gold he obtained booty rich enough to repay the labor of carrying it down through the mountains and to furnish a profitable cargo for his ships. A number of English adventurers followed his example during the next decade by plundering the Spanish settlements of the West Indies, New Spain and Panama, but their adventures belong not in the annals of exploration or trade or even of warfare, so much as they do in those of pure piracy.[1]

The famous expedition which Drake organized and carried out of England between 1577 and 1580 was in the main just such a marauding voyage as that to Nombre de Dios, though on a larger scale, and possibly with official sanction.

[1] Hakluyt, x, 75–6, 77–88; C. R. Markham, *The Hawkins Voyages*, Hakluyt Society, v–xxi, 65–81.

Documents recently discovered in Mexico seem to show that he carried a license from the queen and possibly had other objects than plunder.[1] Moreover, apart from the deceit, private robbery, public pillage, desecration and sordid depredation which make this voyage so largely a tale of shame, it had other features which raise it to the level of high achievement and perennial interest. Sailing from Plymouth with three vessels in November, 1577, under pretence of a voyage to Alexandria; crossing the Strait of Gibraltar; following the coast of Morocco and capturing Spanish and Portuguese vessels among the Madeiras and Canaries, until the Cape Verde Islands were reached, Drake then sailed south-west, was almost two months without sight of land, and reached the South American coast not far north of the Rio de la Plata. Occasional trading voyages to Brazil and the coasts of this latitude had probably never entirely ceased since the time of William Hawkins; and at this very period a trade in sugar and miscellaneous articles was being arranged between an Englishman at Santos and Sir William Staper, active in so many lines of trade. Thus far therefore the route was a familiar one. To the southward Drake followed the same route as Magellan had taken sixty years before, a further tragic analogy being found in the execution by court-martial of a disloyal gentleman, Thomas Doughty, in the very Port St. Julian where the gibbet still stood on which Magellan had hung the mutinous members of his crew. The straits were reached and eventually passed by two vessels, one having turned back at the entrance. Another was again driven into their mouth, retraced its way and returned to England. Thus Drake in the Pelican alone with a score or two of men sailed up the coast of Chile and Peru on his well known career of surprise and plunder.

The greatest interest, as the greatest honor of the voyage began after the Spanish coasts of Chile, Peru and Panama were passed and his questionable cargo obtained. Drake

[1] Mrs. Zelia Nuttall, *London Times*, October 10, 1912, to be published by the Hakluyt Society.

then planned, instead of returning eastward through the straits, now beset by Spanish vessels, to sail on westward, following the Spanish trade route between Acapulco in Mexico and the Philippine Islands. But first he made his way far to the north, possibly looking for a north-western passage, refitted in San Francisco bay, took possession of the western coast of America in the name of the queen, naming it New Albion, and observed the buffalo and prairie dogs, the wigwams and beadwork and tobacco of the western Indians. Returning southward he crossed the vast expanse of the Pacific, touching, as the Spaniards habitually did, at the Ladrones, landed in the Moluccas and several other groups of East Indian islands, and exchanged visits with Malayan princes and nobles. Adding some tons of spices to his already rich cargo, he threaded his way among the eastern possessions of Portugal, crossed the Indian Ocean and rounded the Cape of Good Hope, never touching land after he left Java until he reached Sierra Leone. Thus he approached the coast of Guinea from the east as he had left it sailing toward the west more than two years before. After obtaining provisions the Pelican sailed on northward and entered the harbor of Plymouth in November, 1580, three years saving one month from the time of her departure.[1]

No longer journey is possible on this globe than that which Drake and his crew had performed; and scarcely a bolder task could be undertaken or a greater achievement accomplished than this, the second circumnavigation of the world. It is no wonder that the voyage immediately became famous. The more high-minded members of the privy council, such as Burghley and Walsingham, and some choice spirits among adventurers, such as Sir Humphrey Gilbert, refused to share in Drake's plunder or to condone his piracy, but neither Elizabeth nor the bulk of her councillors or of her people, were so scrupulous.

Nor did Drake have to wait ten years for a Hakluyt to publish an account of his voyage. The news of it spread

[1] Hakluyt, xi, 101–147.

quickly throughout Europe. Indeed, the protests of the Spanish government against its excesses and efforts to prevent its recurrence long preceded Drake's return to England. Spanish plans then in progress for the colonization of the Solomon islands were promptly suspended, so that English marauders might not have one more group of civilized settlements to prey on. Soon after Drake left the coast of California, the viceroy of Peru sent two vessels under Pedro Sarmiento, "the best navigator of all Spain," to intercept him at the straits of Magellan and to examine into the possibility of blocking them against further interlopers. Sarmiento did not find Drake, but passed through the straits from the westward, sailed to Spain and convinced King Philip of the practicability and desirability of establishing a fortified settlement at the narrowest part of the passage. He took back a great fleet, consisting of thirty-three ships, with 3500 men, among whom were artificers as well as soldiers, provided with abundant munitions and supplies. The fleet had many misfortunes, losses, and delays, but eventually, in 1584, left Sarmiento with four hundred men and thirty women, a ship, and supplies for eight months, at the strait. He built a town at the eastern end of the passage and another, which he called King Philip's town, at the narrowest point. Misfortune, neglect and the rigor of the climate were responsible for a long tale of misery, and four years later twenty-one men and two women out of the four hundred and thirty were watching at the mouth of the strait for an opportunity to make their way to the Spanish settlements on the Plate river.[1]

This was not the only plan for the occupation of the straits. A proposal was made that England herself should follow up the voyage of Drake by establishing a settlement there. Apparently in 1580 a memorial was submitted to the queen and council entitled "A Discourse of the Commodities of the taking of the Straight of Magellan." It shows many aspects of the Elizabethan spirit. After calling attention to the

[1] *Ibid.*, xi, 266–73.

danger to Europe, and especially to England, of the possession of both Spain and Portugal and of both the West and East Indies by one sovereign, a condition of affairs which had come into existence in that year, the writer proposes, first, "that the straight of Magellan be taken and fortified, inhabited and kept," secondly, that the island of St. Vincent in Brazil and the country adjacent be taken and kept, and, thirdly, that the "northwest straight be discovered with all speed." To carry out the first object he suggests that "To the straights of Magellan may be sent Clerke the pyrott, ypon promise of pardon, and to culer the matter he may goe as of his selfe, and not with the countenance of the Englishe State. . . . He may have with him certain caste peeces of iron for the defence of the fortification to be made at the narrowest place of the Strait, and a man skilful in navigation with him . . . they will make soon subject to them all the golden mines of Peru and all the coste and tracts of that firm of America, natives will gather around the settlement. . . . We may adde condemned Englishmen and women in whom there may be found hope of amendment." Then follows the first of those persistent prophecies of separation that continued till two centuries after this time they were accomplished. "But admitt that we could not enjoye the same longe, but that the Englishe there would aspire to government of themselves. Yet were it better that it should be soe then that the Spaniard should with the treasure of that countrie torment all the countries of Europe with warres. — But we might keepe the countries as well as the Spaniards do and use traffique with them." [1]

Although there is no known response to this appeal, the route to the orient by the south-west became a subject of keen interest and enterprise. So popular was it that when an expedition to the Moluccas was sent out under Sir Edward Fenton two years afterward, a special prohibition was inserted by the privy council in the instructions against going or returning by way of the straits of Magellan. A pos-

[1] *State Papers, Dom., Elizabeth*, ccxxix, 97.

sible exception was provided for in case of absolute necessity. When the expedition had spent much time on the African coast, then cruised along the coast of South America, its captains in solemn council decided that the necessity had arisen and that the straits of Magellan route was the only one open to them. It was only the difficulties and mischances of the voyage that turned them back when they had reached the Rio de la Plata, and prevented an actual attempt on the straits.[1]

Four years later, in 1586, a fleet of two vessels was sent out by the earl of Cumberland under Captain Withrington intended directly for the straits of Magellan and the South Sea, but this expedition also failed to reach its destination. It was not until the year 1588 that Drake's exploit was repeated by an Englishman. Sailing from Plymouth in July of 1586, Thomas Cavendish passed through the straits and followed the same pillaging course up the coast of South America. He passed on to the west coast of Mexico, captured a great Spanish vessel coming from the Philippines, and like Drake followed that route on westward, stopped at various places in the East Indies, then rounded the Cape of Good Hope, heard of the defeat of the Armada from a Flemish vessel near the Azores, and might well have met some of the Spanish vessels fleeing around the west coast, as he reëntered Plymouth harbor on the 9th of September, 1588, two months less than two years from the day of his departure. He came later to the Thames, sailed up the river in state in a ship with blue damask sails, each of the sailors with a gold chain around his neck, and was received by the queen.[2]

The circumnavigation of the world by Drake and Cavendish, twice within a decade, marks the culmination of the distant voyages of the English during this period. The

[1] Hakluyt, xi, 163–227, 290–378; Birch, *Memoirs of Queen Elizabeth*, 57; *Cal. State Papers, Spanish*, 458, 473, 478, 481, 487, 491.

[2] Hakluyt, xi, 290–347; *Cal. State Papers, Spanish*, 1587–1603, 487, 491, 493.

outlines of adventurous exploration were now wellnigh all drawn; it was only the details that remained to be filled in. Search for trade, the spirit of adventure and the occasions of war had within thirty years taken Englishmen far afield. They had sailed around the North Cape, made their way into the heart of Russia, and from thence overland far to the east and south and across the Caspian; they were trading along all shores of both the Baltic and the Mediterranean; they had followed the coast of Africa down to the equator; crossed the Atlantic to the frozen north-west; had held momentary possession of various points of the North American coast and landed repeatedly in the West Indies; they had coasted along South America to its southernmost point, and passing that great barrier had gone on by the westward route to the orient and then still on to the occident, till there remained no meridians of longitude and but few parallels of latitude that English navigators had not crossed.

CHAPTER XX

FIRST INTERCOURSE WITH THE EAST INDIES

IT will be observed that with all the extension of English commerce and exploration in the north, the south and the west, the east had not yet been directly reached, and to the long list of sixteenth century commercial companies the one which was destined to have the greatest career had not yet been added. This was from no lack of interest in the orient or effort to reach it. The east had been attacked, like a fortress, by parallels. The route overland through Russia had been tried and proved impracticable, the north-east and north-west passages had been attempted in vain, the south-west route through the straits of Magellan had been followed by Drake and Cavendish, but was too long and difficult to be profitable for purposes of trade. Yet the east still beckoned. After the outbreak of war in 1585 Lisbon was closed to English merchants and direct access to the east was even more desirable. The trade of Persia, Arabia, India, the more distant Indies and China was the great prize, which all English merchants realized would far outvalue anything yet reached by them. Therefore the search for a practicable route thither still continued.

One such line of search was a natural extension of the Levant trade, just as another had been of the Russian trade. When Cavendish reached the island of Java, in March, 1588, sailing westward, he might almost have met Ralph Fitch, an Englishman who had reached the same region travelling eastward, by way of the Mediterranean, and was in Malacca, not five hundred miles away, in the same month. The journey of Fitch had taken place along

some of the oldest lines of travel known to the human race, the ancient overland trade-routes from the east, which found their western termination in the seaports of Egypt, Syria and Asia Minor. The European merchants who purchased the goods that came over these routes were not always content to remain at their western terminals. Italian, French, Flemish, German and even English merchants journeyed with the caravans back from Tripoli to Aleppo, and from Aleppo on eastward and southward. Representatives of all these and other European nationalities were established in the later sixteenth century among Arabs and other Asiatics, not only in Aleppo, but in Birra on the Euphrates, in Bagdad, Bassora, Ormuz and even in the Portuguese cities on the west coast of India. The Portuguese monopolized the sea route to Europe but they were not able, nor perhaps did they make any real effort to prevent trading overland. English names are found among these early traders, as in the case of Jenkinson at Aleppo in 1553 and others, and some familiarity with the overland route to the Indies must have existed in England, as shown by the circulation of English translations of the narratives of various travellers. But the first deliberate attempt by Englishmen to solve the problem of utilizing this route for purposes of trade was begun five years before the date of the Armada and finished three years after it. In the year 1583, a London merchant, John Newberie, who had before travelled over the same route at least as far as Ormuz, planned a journey of trade and observation from London by way of the Levant to the farthest orient. Joined with Newberie were five others, Ralph Fitch, a merchant, William Leeds, an expert jeweller, James Story, a painter, and two Londoners, Eldred and Scales, provisionally attached to the party. The expenses of the journey were borne principally by those indefatigable merchants, Sir Edward Osborne and Richard Staper, although the travellers took goods along which were expected to be sold at a profit. The expedition was given a semi-official character, like most distant journeys of the time, by carrying letters from the

queen. Epistles to oriental potentates were by this time a familiar form of royal composition, and Elizabeth wrote in the usual friendly style to the Great Mogul Akbar, whose reign was so nearly contemporaneous with her own, and to the "King of China." Newberie was also provided by Hakluyt with various descriptions of the east, and commissioned by him to find for him a copy of the "Cosmographie of Abilfada Ismael." [1]

The incidents of the journey are made known to us by a number of letters written on the way to his London friends by Newberie, by reports of some travellers they met on the way, and by a narrative written on his return by Ralph Fitch. Their sea voyage to Aleppo on the Tiger may or may not be the one of which Macbeth heard from the witches, but in any case it required six weeks from Falmouth to Tripoli in Syria, although they did not need to drop anchor once, and there is a caravan journey of seven days between the coast and that great border mart, the centre of trade of Turkey, Arabia, Persia, and India. Here they were on the edge of the lands of eastern romance. The journey thence by caravan along with other merchants to the head of navigation on the Euphrates, the long trip in boats, with their merchandise, to Bagdad, or Babylon, as it is constantly called by the travellers of the time, the strange river craft, the camels, the bridge of boats, the remains of the "Tower of Babel," and other ancient monuments, the thieving Arabs, their nomadic ways and strange costumes, then the journey down the Tigris to Bassora, all read like pages from the Arabian Nights, as they are described with the keen curiosity of the English travellers. They seem to have planned to go from here by land through Persia to India and eastward, but for lack of an interpreter in the tongues of India were forced to turn southward along more familiar routes. So, leaving behind Eldred and Scales, the others pursued their journey through the Persian gulf, and although they sailed in vessels of which the planks were tied together and calked with fibres of the

[1] Hakluyt, v, 450–2.

date palm, like those described by Sinbad the Sailor, they finally reached Ormuz.[1]

In this city, under Portuguese rule, on an island at the mouth of the Persian gulf, they set up a shop to take part in the busy international trade that characterized the place. They may have had ulterior motives, using the opportunity to make observations with a view to establishing more extensive trade. At any rate some Venetian merchants, apparently dreading new rivals, called the attention of the governor to their presence, denouncing them as spies, heretics and countrymen of Drake, who had lately attacked Portuguese vessels in the Moluccas. Thus four days after their arrival they were placed in prison. The governor, who bore the name of the great founder of the Portuguese empire in the east, Albuquerque, not inclined to deal harshly with them, after almost a month's imprisonment sent them on to the Portuguese Viceroy at Goa on the west coast of India, where the annual fleet made its first stopping place. Here they were held in prison for another month and frequently examined by the viceroy, who was deeply suspicious of their motives in making their way to such distant lands. At last they found friends. In the Jesuit house there was an Englishman, Father Thomas Stephens, who had been educated in Italy and in 1579 sent by his superiors to service at Goa, where he lived a long, devoted and useful life. In the service of the archbishop of Goa were also two Dutchmen, one of them the famous traveller and writer Linschoten. With these the Englishmen, who knew Dutch, could talk. The influence of Stephens and of the archbishop, stirred up by these Dutch clerks, was sufficient to induce the viceroy to order the release of the Englishmen if they could find money security not to depart from Goa without his leave. Two-thirds of the security was provided by Newberie himself, the other third by a merchant of the place. Story, the painter, was

[1] *Letters of Newberie to Hakluyt from Aleppo*, May 28, 1583; *Voyage of John Eldred to Tripoli, Babylon and Bassora, in 1583, and Narrative of Ralph Fitch*, Hakluyt, v, 453–468.

soon engaged to ornament the Jesuit cloister, then found other work in his handicraft, and finally married the daughter of a Eurasian and remained permanently in Goa. The others again set up a shop to dispose of the goods they had brought so far and to buy others, and perhaps, as before, to make observations. Unable, however, to obtain the return of their gage from the viceroy, and in constant fear of being sent back in the fleet to Portugal or Spain, after five months they chose a good opportunity and on April 5, 1585, secretly left the city, going directly inland.

This was their first sight of the ancient civilization and strange customs of India. As they made their way eastward and northward, the images of the gods, the elephants, the teeming population, the gorgeous courts of the native princes, the trade in precious stones and other Indian commodities, the abundance of silk, the fine cotton cloths are again a matter of intense curiosity and of detailed observation and description. Finally they reached Agra, the capital of Akbar, the great Mogul, and Futtehpoor where he kept his summer court, "two very great cities, either of them much greater than London, and very populous." Here Newberie presented his letters to the emperor.

Unfortunately, we know nothing of his reception or of the reply given. At the end of September, 1585, he directed Fitch to go on to Bengal, where he promised to meet him within two years with an English ship. He himself started with the emperor's reply from Lahore in the far north-west of India, intending to go through Persia to Aleppo or Constantinople and thus home. But he was never heard of again. Leeds, the jeweller, was taken into the service of Akbar, highly paid and luxuriously housed and, like Story, remained in the orient. Fitch joined a company of merchants who were going down the Jumna in boats to Bengal, and as the only surviving member of the party, he now takes up the narrative. His account of his wanderings is too long to follow here. Down the Jumna and Ganges, past Patna to the site of modern Calcutta, then up northward

to Bhotan, where he met merchants from China, Tartary, and even Russia; southward to Pegu, then at the greatest height of its prosperity, and still further southward to Siam, he came finally, in the spring of 1588, to Malacca. Here he was again under the dominion, though fortunately not under the notice, of the Portuguese. After observing the trade between Malacca and China, Japan, Java, and Sumatra, he returned to Pegu and back to Bengal, which he reached in November, 1588. Not hearing anything of Newberie or of the English ship during the whole succeeding winter, although three years had elapsed since they had parted, in February Fitch took ship, sailed along the Coromandel and Malabar coasts of India, and so after another year of wandering returned along the old route to Aleppo and Tripoli. Here he found English shipping, and, as he says, "I came with a prosperous voyage to London, where by God's assistance I safely arrived the 29th of April, 1591, having been eight years out of my native country."[1] The narrative of his adventures came too late to be included in Hakluyt's folio; but the belief that the English had at last opened up connection with the far east caused a new clause to be inserted in the charter of the reorganized Levant company, granted eight months after his return.

In this charter three fields of trade are designated, "the dominions of the sayde Grand Signior, and into and from Venice, Zante, Candie and Zephalonia, and other the dominions of the Signiorie and State of Venice, and also by lande to the countries of the sayde Grand Signior, into and from the East India, lately discovered by John Newberie, Ralph Fitch, William Leeds, and James Story, sent with our letters to that purpose at the proper costs and charge of the sayde marchants or some of them."[2] But the East India as "lately discovered" overland was never traded to by the Levant company. Physical obstacles and political complications closed it as effectually to them as they did the somewhat

[1] Hakluyt, v, 468–512.

[2] *Charter of the Levant Company*, Hakluyt, vi, 73, etc.

more northern route to the merchants of the Muscovy company. The effect of the journey of Newberie and Fitch is to be found, if found at all, in the ever increasing interest in the east and in the encouragement of further efforts to reach it by other routes.

The most promising of these routes, the only one that had not yet been tested, and the one destined to prove both practicable and profitable, was that which was growing familiar to Englishmen by their voyages through the south Atlantic to America and to the west coast of Africa, the south-western route, around the cape of Good Hope.

In October, 1589, a thoughtfully written memorial was presented to the queen's ministers by some English merchants, calling attention to the value to Portugal of the East Indian trade and the desirability of England sharing in it. They pointed out that the actual domination of Portugal in the east was restricted to a certain number of detached places, that she was unpopular in many regions, and that strangers would probably be welcomed by the native rulers and people on the Coromandel coast of India, in Ceylon, Bengal, Pegu, Sumatra and Java, in Borneo and the Moluccas, Siam, the Philippines, China and Japan, and even in some nearer ports where the Portuguese had not been successful in gaining complete control. They expatiated on the value of the trade for the maintenance of great ships and the training of hardy mariners, and pointed out that "the tyme doth now offer greater occazon for the attempting of trade in those countries than at any tyme heretofore yt hathe done." They offer to furnish the necessary money and labor for the opening up of this trade, if they may be granted license to take certain ships thither, be freed from any sudden stay after the vessels are equipped, be given the necessary commission for the control of their mariners and soldiers, and be allowed to retain such plunder as they may take from Spanish and Portuguese enemies on their voyage. They name the Royal Merchant, the Susan, and the Edward Bonaventure, all vessels which had made long voyages both as merchant-

men and as privateers, as their ships, and propose to have them victualled and loaded with merchandise in two months.[1]

The expedition thus proposed left England April 10, 1591, just three weeks before the return of Ralph Fitch from the far east to which it was directed. The Penelope was substituted for the Susan. The commander of the expedition was George Raymond, with James Lancaster as vice-admiral. Hakluyt took down from the dictation of the lieutenant of Lancaster the narrative of the voyage, and another account has been preserved by a Henry May. Brief as our epitome must be, it well shows the boldness, the world-wide wandering, the semi-barbarism and the frequent misfortunes of the seamen of this period. Unfortunately, from the very beginning of the voyage the commercial objects which had been placed in the foreground of the original plan were subordinated to the privateering which had been only casually mentioned. As they sailed southward and were approaching the equator they captured a Portuguese caravel on its way from Lisbon to Brazil and transferred its cargo of wine, olive oil, dried peas and capers to their own holds. These somewhat ill-gotten luxuries became a welcome addition to their commissariat, which the length of the voyage soon depleted. Driven by easterly winds and currents they passed down the coast of Brazil till they were nearly in the latitude of the cape of Good Hope. Then they turned eastward, sailed some 3000 miles and doubled the cape. From there they sent one of their vessels home with a part of the crew too much weakened by scurvy to proceed, and soon afterward they ran into a hurricane where "we saw a great sea breake over our Admirall, the Penelope, and their light strooke out, and after that we never saw them any more."

The Edward Bonaventure with a crew of ninety-seven men began working her way up among the native, Portuguese and Arab settlements on the east coast of Africa, their principal interest at this time being the securing of food and

[1] *Reasons persuading our merchants to traffic to the East Indies, Cal. State Papers, Colonial, E. I.*, 1513–1616, No. 239.

fresh water. After lying some months and refitting off Zanzibar they set their course for the straits that lie between India and Ceylon, hoping to seize some rich prizes there. They were driven too far northward for this object and planned to go to the Red Sea for captures, but "it pleased God to bring the wind more westerly," so in May, 1592, they were able to make their way around Ceylon and go for plunder to the Nicobar islands. Twenty-six men died here during the winter, but in the spring they sailed to the coast of the Malay peninsula, with a crew all told of thirty-three men and a boy, eleven of whom were sick. Nevertheless they captured four vessels, one of which proved to be loaded with pepper, the possession of Portugal merchants, which they transferred to their own ship. Sailing still closer to Malacca, they captured a Portuguese ship sailing from Negapato to Malacca, held her pilot and four Moors for service on their own vessel, took out of her what they wanted and set her and her men adrift. Soon afterward they demanded and secured the surrender by the governor of Malacca of his vessel of 700 tons, coming from Goa, and although he and the whole ship's company of 300 men, women and children took to their boats and escaped, Lancaster and his sailors pillaged the great ship and then set her adrift. They negotiated with the Malays for pitch to repair their ship, ambergris and horns of the female unicorn, "a most soveraigne remedie against poyson." They exchanged the rest of their cloth for gold royals which the natives obtained by diving into the hulls of two Portuguese ships wrecked there not long before.

At the end of 1592 they turned westward to Ceylon, intending to lie in wait for the rich Portuguese fleet on its way from the far east to Cochin, whence it usually departed for Portugal in January. But here the men mutinied and insisted on sailing for England. Captain Lancaster lying sick and the sailing master helpless, they sailed westward, rounded the cape of Good Hope again in March, 1593, two years from the time they left England, and directed their course for St. Helena. Here they found, clothed in goat-skin, one of their

own crew left there sick by the Royal Merchant the year before on her way home. From here Lancaster planned to sail for Pernambuco in Brazil for more plunder before returning home, but the men again mutinied and they drifted northward to the line. Here baffled by calms and contrary winds, they spent six weeks till food was almost exhausted. One of the sailors who had been to the island of Trinidad persuaded Lancaster to sail there for refreshment, so within six months they passed from the East to the West Indies. Wandering around from the mainland of South America to Porto Rico and San Domingo and then to Cuba and Florida, they secured some succor from the Indians, some from a French vessel which they met, and repaired their badly strained ship. Finally they determined to sail northward to the Newfoundland banks to seek company or help homeward and got as far as the Bermudas, but were driven back by storms. They were reduced to eating hides which they had procured in the way of trade. Five of their men deserted, preferring to take their chances of surviving on one of the islands till some ship should come to take them off. In November, 1593, when the captain, sailing master and seventeen men were on shore on a little island south of Porto Rico, the crew in the ship, consisting of the ship's carpenter, four men and a boy cut their cable and drove away for England. The nineteen men on shore lived on boiled purslane and pumpkins for a month, when two French vessels from Dieppe came in sight and took the twelve who were then in sight aboard. Of the others, two afterward fell from the rocks and were killed, three were betrayed to the Spaniards and put to death by them, and the two remaining were rescued by a French ship. What became of the Edward Bonaventure and its crew is not known. The survivors, fourteen men, arrived safely in England by way of Dieppe in May, 1594, something more than three years after their departure.

This was the first English voyage directly to the East Indies, and it is typical of the indomitable enterprise of the English navigators that, filled with calamity and suffering as

the narrative dictated by its survivors is, it closes by giving news learned in the East Indies that certain Portuguese had recently explored the coast of China almost to the latitude of 60°, and had found the sea still open to the northward "giving great hope of the northeast or northwest passage." It is also worthy of remark that within six months of his return James Lancaster was sailing in command of a privateering fleet of three ships on his delayed voyage to Pernambuco, an enterprise which proved from a material point of view a brilliant success.[1]

Just what impression was made in England by the reports of Lancaster and his companions of their experiences on their voyage to the Indies we have no means of knowing, but several influences were combining about this time to intensify the old interest in this route to the east, which they had now shown to be practicable. According to a contemporary chronicler, Drake's capture of the carrack St. Philip in the Azores in 1587, the sight of its rich cargo and the inspection of its bills of lading called the attention of English merchants to the "gainful trade with the East Indies, and set them on the same plan." The report of Fitch, made on his return in 1591, had we know aroused public interest. In the Pernambuco voyage of 1594 just alluded to, the richest booty was the contents of a Portuguese carrack, whose goods had just been landed there, and on their capture provided lading for fifteen English vessels.[2]

In 1596 an expedition, of which unfortunately little is known, followed the path of Raymond and Lancaster. It was equipped principally by Sir Robert Dudley, who had long planned a voyage to the south seas and who had himself been with the Bear and the Bear's Whelp privateering in the West Indies in 1594 and 1595. The next year, with the help of two London merchants Richard Allen and Thomas Bromfield he added a third vessel to these two, secured from the queen a letter to the emperor of China asking and offering trading relations, placed the fleet under his vice-admiral of

[1] Hakluyt, vi, 387–407, xi, 43–64. [2] Camden (ed. 1688), 489.

the year before, Benjamin Wood, and sent it out for the East Indies. But except for a vague report by way of Spain two years later that two Portuguese ships on their way from Goa to China had been taken in the eastern seas by two English ships, nothing was heard again of this expedition, and its fate remains one of the many mysteries of the sea.[1]

Although the far east, like other regions under the Spanish-Portuguese monarchy, might be profitable grounds for free-booting, conditions were not favorable for such distant mercantile expeditions. If the produce of the Indies could be obtained by plunder from the holds of Spanish and Portuguese vessels it was poorly worth while to go half way around the world to seek it by trade. The risks of loss by capture in penetrating the Indian seas still caused solicitude. No purely mercantile voyage had yet ventured to so great a distance as the journey around the cape of Good Hope involved. Five years elapsed therefore before any further step was taken to open up trade with the east. It was finally the success of the Dutch that gave the necessary incentive to English merchants. In 1595 a fleet of Dutch merchant ships sailed for the east by this route. They made their way directly to the island of Java and although they were obstructed by the Portuguese in their efforts to trade with the natives their success was sufficient to induce them to send out a more numerous fleet next year and the next. These voyages proved to be extremely profitable, a success the knowledge of which made its way immediately to England. The demand for vessels for the East India trade even brought Dutch merchants over to England to buy ships. Another Dutch influence was the publication in 1598 of an English translation of Linschoten's "Discourse of Voyages into the East and West Indies." This keen Dutch observer had been many years in India and he describes the native productions and customs and the Portuguese domination in a manner that might well make his own countrymen and the English alike feel

[1] *Cal. State Papers, East Indies*, 1513–1616, 250–4; Hakluyt, x, 203–12, xi, 1, 417–21, Purchas, xvi, 134.

that the east was a golden land still lying open to the first comer.[1]

These various influences finally had their effect. On the 22d of September, 1599, a subscription was opened in London by a body of adventurers "induced by the successe of the voyage performed by the Dutche nation" to undertake a voyage of trade to the East Indies. Something over a hundred men put down their names for various substantial sums amounting in all to over £30,000. Fifty-eight of these men met two days afterward, adopted certain rules, and appointed a committee to make preparations for a voyage and to apply to the queen and the privy council for a charter to extend over as many years and to include as many advantages as could be obtained. All these men were London merchants, the most prominent of them, like Staper, Smyth, Hart, Cherry and others already engaged in the Muscovy and Turkey trades. In fact the earliest records of the new company were entered in a disused letter-book of the Levant company, and Robert Wright, the first secretary, had been some years before secretary of the Muscovy company. There were frequent negotiations also with that company for the purchase of shipping material, and later for a delimitation of their spheres of trade and discovery.[2]

After preparations and discussions had proceeded for a month it became evident that the privy council was not willing to endanger the negotiations for a treaty with Spain then in progress by granting permission to English merchants to invade her trading preserves. The plan was therefore suspended for the time. But neither the adventurers nor the councillors intended the project to lapse. Early in 1600 a memorial contending that English merchants had a perfect right to trade in the East Indies was submitted to the government, and a report upon this memorial enumerating the

[1] *Cal. State Papers, E. I.*, 1513–1616, 253; Purchas, *His Pilgrimes*, v, 193–208; Henry Stevens, *Dawn of British Trade to the East Indies as recorded in the Court Minutes of the East India Company*, 1599–1603, 8; A. C. Burnell and P. A. Tiele, *Voyage of Linschoten to the East Indies*, Hakluyt Society, 1885.

[2] *Lansdowne MSS.*, xlviii, 80; Stevens, vii, 191, 265–283.

independent potentates of Africa and Asia with whom trade was free was made to Secretary Cecil by Fulke Greville, treasurer of the navy. The probability of an early peace with Spain faded away during the early months of 1600. The privy council thereupon intimated to the adventurers of the year before that it was the wish of the queen that they should proceed with their enterprise and that they might count on obtaining from her the privileges they desired. Therefore on the 23d of September, 1600, exactly a year from their first meeting, an assembly of the same adventurers was held in the hall of the Founders' company and prompt steps were taken for obtaining a charter and sending out a fleet.[1]

Alone of all the sixteenth century commercial companies we have the detailed records of the early days of the organization of this "Companie of merchants preparing to trade to the East Indies." In daily meetings of the chosen committee-men and frequent gatherings of the general court of the adventurers through October, November and December, 1600, and the early months of 1601 we can trace their purchase of ships and equipment, engagement of officers, sailors and agents, collection of cargoes and a score of the other activities of a busy group of merchants. Their charter grew under their hands. Its nucleus is to be found in the promise of the queen given in a letter from the privy council dated September 16th, 1600, a week before the organization meeting, that their voyage would not be interfered with and that they should later be given certain privileges by charter. A rough draft of the privileges was read over in the presence of a group of the leading merchants a week after the first meeting, and a gratuity of £4 given to the clerk who drew it up; by the end of October the patent had been put in something like final shape and was in the hands of the attorney general; November 11th a committee was appointed to urge upon the lord treasurer the consummation of the grant; December 4th the names to be entered in it were finally determined upon; on the 12th of December £71, 13*s*, 4*d*, was paid to the

[1] Stevens, 1–12, 126, 176, 187; *Cal. State Papers, E. I.* 1513–1616, 265–6.

attorney general and his clerks for their expenses in engrossing the patent; December 29th £100 in gold and £50 in silver were ordered to be paid to various persons to secure its passage through the signet, the privy seal and the great seal; December 31st it was signed and sealed; January 9th, 1601, it was read aloud in a full court of the members; January 14th the company's seal was secured; January 15th, in final recognition of the acquisition of their charter, it was ordered that £20 should be distributed "unto the lords and other as shall seeme good"; and on the 1st of May twenty marks were paid to the king of the heralds for assigning to the company its coat of arms. Such labor did it cost to obtain an Elizabethan charter! So many such charters have been already described that it is unnecessary here to say more than that this was given to two hundred and sixteen merchants, that it gave them power to add to their number, that they were incorporated under the name of "The Governor and Company of Merchants of London Trading to the East Indies," that they were endowed with the usual extensive rights and privileges, and that these privileges should endure for fifteen years, with a conditional promise of a further extension of time.[1]

Like other distant commercial ventures of the period, this was looked upon both by government and the adventurers themselves as in a certain sense a national project. The queen was therefore asked to write letters to the princes and potentates of the eastern lands they expected to visit, and six such products of her majesty's by no means 'prentice hand were finally given them, copied by William Segar, one of the queen's heralds, at a cost to the company of £13, 17*s*, 8*d*, and sent with the fleet, the names of those to whom they were addressed being left blank, to be filled in according to need. The authority of government was likewise invoked

[1] Stevens, II, 25, 60, 62, 77, 85, 91, 96, 107, 109, 113, 114, 171; C. M. Andrews, *Guide to the Materials for American History in the Public Record Office*, Appendix A, *Proceedings in the Passage of a Patent through the Seals*, *I*, 268–272; *Charters granted to the East India Company*, 3–26.

when there proved to be need of the immediate services of carpenters and shipwrights, and a warrant for the impressment of such workmen was obtained from the lord treasurer. A less authoritative but probably no less effective means of securing the continuous labor of the workmen was the allowance to them of a barrel of beer each day at the company's charge, to keep them from "running from their worke to drinke at the alehouse." [1]

Another form of government intervention sought for by the company was the provision of a special coinage suited to the eastern trade. The trade with India brought up a problem not met before in English trade, the importation of goods from a country where few English goods were in demand. For their purchase much actual money would have to be sent. The necessary suspension of the laws against the export of bullion was readily obtained, and by its charter the company was permitted to send out an amount up to £30,000 on each voyage. Sterling money was, however, unknown in the east, and the natural recourse was to Spanish coins, well known in the sixteenth century over the whole world, and especially in the Indies. Every means was therefore taken by the company to secure Spanish pieces of eight royals, four royals and two royals. The leading merchants made use of their commercial connections with Calais, Rouen and St. Malo to secure Spanish pieces in exchange; special messengers were sent into the western counties of England to purchase the Spanish money there current, the produce of the trade, privateering and freebooting of the south-western seaports; members were allowed to pay their subscriptions in Spanish pieces at an advantage; until, finally, before the time for the ships to sail the company had ready to load on them some forty-eight bags of money of five hundred pieces of eight in a bag, these 24,000 Spanish dollars, or pieces of eight, being equal practically to 5200 pounds sterling.[2]

[1] Stevens, 40, 91, 131, 134, 139, 151, 263; C. R. Markham, *Voyages of Sir James Lancaster to the East Indies*, 57–80.

[2] Stevens, 15, 21, 31, 41, 51, 53, 57, 58, 64, 68, 82, 91, 102, 105.

This, however, was not enough for the needs of the venture on the scale on which it had been projected, and it was one of the earliest requests of the merchants that the queen would order a special coinage for the purposes of their trade. Early in November, 1600, they asked the lord treasurer for a warrant for such a coinage, promising themselves to provide most of the bullion. Later they begged the loan of £3000 worth of bullion then lying in the Tower, promising to replace it as soon as possible, and still later they succeeded in obtaining either in uncoined plate or in foreign money an amount which brought the total bullion up to £6000 in value. They paid the engraver of the mint £29, 10*s* for stamps for the coin and finally, January 11th, 1601, the queen's order to the officials of the mint was issued. It required them to coin from the bullion provided by the East India merchants pieces of the usual fineness, of weight corresponding to the Spanish pieces of eight and its subdivisions. The device was to be the queen's arms on one side, the familiar emblem of the portcullis on the other. There were actually coined during January, 1601, some 28,000 pieces, each something more than four shillings in value and together equalling about £6000 sterling. It is the only time in English history when coins were minted at the Tower of London specially for currency in another country than England. Although nine chests, containing fifty-six bags of this money, were taken out on the company's ships their circulation in the east was not very successful, the natives suspecting the coins to be counterfeits of Spanish pieces. The experiment was not repeated.[1]

The most conspicuous assertion of the public character of the proposed voyage was the appeal of its projectors to the privy council to force those who had promised to subscribe to make good their subscriptions. The enthusiasm of the meeting of September in Founders' hall was followed as usual

[1] Stevens, 77, 80, 87, 120, 122, 174; Birdwood and Foster, *First Letter Book of the East India Company*, 13–18; Malynes, *Lex Mercatoria*, 135; Ruding, *Annals of the Coinage* (ed. 1840), i, 353–4.

by a reaction, and many of those who had put down their names for considerable sums were slow, and eventually quite unwilling, to make payment to the treasurer. By the end of October the managers had spent more than £20,000 and needed more money. The lords of the council were thereupon appealed to for the encouragement of all and the discipline of the recalcitrant. They declared that the project was "a publike action and not to be dallied withall," and ordered the names of those in arrears to be given to them that they might be dealt with. Over and over again during the succeeding weeks threats of such a summons were used, and when on January 11th the lords of council in answer to further complaint issued still more drastic orders, the company sent its secretary and a group of members to the privy council with the names of those who were derelict. Although but three men are recorded as actually appearing before the council, the number of those neglecting or refusing to pay their subscriptions was gradually reduced to very small proportions; some obtained substitutes, and a very few were disfranchised for their default and ceased to be members of the company.[1]

There were limits however to the interference of the government desired by the company. When the lord treasurer pressed upon them the employment of Sir Edward Michelborne as one of their principal commanders they declared their unwillingness to employ any gentleman in any place of charge or commandment, and urged the lord treasurer "to geave them leave to sort ther business with men of ther owne quality." The company was to be a body of merchants, not gentlemen adventurers, and although its members were for the most part wealthy men they did not claim to be gentlemen in the Elizabethan sense. Moreover, the voyages were to be for trade only. When some of the mariners asked how captures would be shared the directors answered "that ther is noe intention to make anie attempte for reprisalles

[1] Stevens, 61, 62, 112, 115, 164, 170, 174, 177, 178; Birdwood and Foster, 9–13, 18.

but only to pursue the voyages in a merchantlike course." Still, it would be more than could be expected of the time if no loophole should be left by which escape from such virtuous resolves could be made if there were need. It was therefore ordered that in any opportunity that actually offered itself, without hazard to the voyage, the commander should do what he thought best, and in such a case would make a proper agreement with the mariners. This incongruity between the merchantlike resolves of the company in England and the warlike opportunities of the company's commanders in the east was not only to face the leader of the first expedition but to endure as long as the company endured, and to create for England an empire against the will of those nominally responsible for its creation.

The directors of the company, as they may fairly be called after the grant of the charter, lost no opportunity of obtaining the services of men whose knowledge might be useful. Mr. Hakluyt was present and gave advice at the first meeting of the adventurers in 1599, read from his book and notes various suggestions at a meeting of the directors in January, 1601, was asked to put down in writing a list of the most valuable trading places in the east, was given ten pounds for his pains somewhat later, with thirty shillings extra for three maps he gave to the company, and is said afterward to have been entrusted with all the narratives of the company's voyages. Eldred, Fitch and other men who had been to the Indies were consulted as to the nature of the merchandise to be sent. Francis, a Portuguese, resident in Somersetshire, was brought up to London and engaged to go on the voyage, as had been done in the expeditions to the African coast. Captain John Davis, who had passed through varied experiences since his expeditions in search of the north-west passage between 1585 and 1587, among them having been principal pilot in the Dutch expedition which sailed for the East Indies in the spring of 1598, in August, 1600, transmitted to the earl of Essex from Middleburg the journal of his voyage, with a description of Acheen in Sumatra. Soon afterward he

returned to London. The directors immediately showed themselves so anxious to secure his services that they wrote to the earl of Essex, in whose employ he was, and obtained his release. They engaged him as principal pilot of the expedition at a large salary and with a promise of further rewards contingent on the success of the venture. When they heard that another Englishman, who had been four years a prisoner in the East Indies and who knew the language of Sumatra, had been rescued and brought to Holland by a Dutch ship, they opened up a correspondence with friends in Middleburg with the object of bringing him to England. They gave twenty shillings to a man who dedicated to them an account of the Dutch East India voyages, and free transportation to the east to a man who knew drugs and spices. The commander of the expedition took as his personal interpreter a Jew who spoke Arabic. The company also engaged among their factors another man who could speak Arabic, Spanish and Portuguese.

The factors or purchasing agents of the company were an interesting and important group of employees. Sixteen persons were engaged for this purpose for the first voyage, besides six or eight others who volunteered to go at their own expense for the sake of learning the languages and the trade of the east, and in the hope of being later employed by the company. To obviate if possible the old difficulty of private trading, which had made so much trouble for the Muscovy, Levant and Morocco companies, these factors, from whose private enterprises most was to be feared, were required to take their oaths not to engage in such separate trade, and were besides promised certain shares in the general distribution of the profits of the company on the same basis as those who had invested their money in the venture. Besides, the chests, packages and books of every person in the company's ships were made subject to examination at any time.[1]

[1] Stevens, 25, 26, 28, 31, 37, 38, 77, 81, 86, 93, 97, 100, 105, 108, 109, 117, 118, 124, 130, 145, 152, 194; Purchas, *His Pilgrimes*, ii, 305–26; *Voyages of Sir James Lancaster to the East Indies*, 81; A. H. Markham, *Voyages and Works of John Davis, the Navigator*, 129–156.

The joint-stock character of the venture, although restricted to the expenses and the profits of the single voyage now being prepared, was insisted on from the beginning and in the most positive way. No intrusion of any individual element was allowed in the "Joynte and Common Stocke of Adventure"; all subscriptions were paid in money, and all purchases, sales and payments were made on the common account. The minimum subscription was established at £200. Early in February, 1601, a form of certificate was prepared and issued to those who had paid in their subscriptions which is hardly distinguishable from a modern certificate of stock. Subsequently there was a considerable amount of setting over of one man's stock to another, although this required in each case the consent of the other members of the company.

The original subscriptions had amounted to some £30,000. As already intimated all of this was not paid in, and it soon became evident that a still larger sum would be needed. In addition to the effort made to force the original subscribers to complete their payments, two successive assessments, each of ten per cent, were made upon the subscribers, thus making the price of one share of stock £240. News of the preparations of the Dutch for a still larger expedition than they had sent out before spurred the adventurers to increasing the scale on which their expedition was planned. Early in the next year the directors found themselves £9000 in debt, although against this either in original subscriptions or assessments some £7000 was due. At one time £1500 was borrowed for three months on the credit of certain of the directors. Later subscriptions carried the original capital of the company up to some £62,800.[1]

Finally the expedition was ready. Four ships, the Red Dragon, Hector, Ascension and Susan had been bought and with some rebuilding and renaming had been fitted for their distant traffic and new purpose. James Lancaster, the surviving commander of the expedition of 1591, was placed in

[1] Stevens, 60, 93, 110, 130, 133, 137, 146, 156, 160, 165, 174, 177, 181, 250–262; *Cal. State Papers, E. I.*, 1513–1616, 278, 288.

charge of this expedition, which would start under so much more favorable auspices. Presents and the queen's letters for the eastern princes in whose dominions trade should be sought were provided, a chaplain for the fleet and a surgeon for each ship was appointed, masters and factors were distributed to their respective vessels, commissions from the company and the queen were given to the commander, and on the 13th of February, 1601, the four ships, with the Guest, a victualler, and their four hundred and eighty men dropped down the Thames from Woolwich and after lying a short time each at the Downs and Dartmouth started on their long voyage.[1]

Scarcely had the members watched their fleet depart on its journey around the cape of Good Hope when they were called upon to consider the possibility of utilizing a more direct route for subsequent voyages. At a meeting of the company July 24, 1601, a letter was read from George Weymouth, an experienced navigator, proposing a new search for the north-west passage. As the merchants considered the long and tedious course their vessels would have to follow, by the route they had taken, along the coasts of Europe and Africa, around the cape, and across the Indian seas; as they realized that two years was the shortest time in which their return could be hoped for; and compared with this the short and direct voyage across the north Atlantic, through the north-west passage, if one could be found, straight to the shores of eastern Asia, they yielded anew to the old charm of the unknown and much longed for; and determined to equip an expedition of discovery to be sent out under Weymouth. The succeeding months were filled with this interest. As in earlier searches in the same direction the monopoly of the Muscovy company had to be reckoned with. At first that body interposed serious objections, then a joint adventure was agreed upon, but on terms unfavorable to the new company. Finally, when the counsel of the East India company advised them that their own charter gave them

[1] Stevens, 14–24, 36, 90, 95, 116, 132–7, 141, 151; Birdwood and Foster, 2–9; *Voyages of Sir James Lancaster to the East Indies*, 57–9.

all necessary powers, they determined upon an independent expedition, disregarding the claims of the older but less vigorous company. May, 1602, a little fleet of two pinnaces, the Godspeed and the Discovery, one of 50 tons and the other of 40 tons, manned and victualled for sixteen months, sailed away on the old search. But although Weymouth had signed a contract to sail directly to Davis Strait, then to press on toward the East Indies, and not turn back so long as he could find open water before him until he had spent at least a year in the search, it was less than four months before the expedition was back again in Dartmouth harbor. There was much dispute and recrimination, the apparent cause of the failure being a mutiny of the sailors when they had reached the coast of Greenland, fomented by the chaplain of the expedition, John Cartwright. Captain Weymouth was summoned before the privy council by the company, but he seems to have made such a good defence, and to have impressed upon the merchants so much of his unshaken confidence that some one of the inlets in the American coast would lead through to the South sea, that for a while they planned to combine the supplies of the two vessels and send the captain out again with one of them. But further disputes broke out, and the time for the return of the first fleet began to draw near, so the project was finally abandoned and the two little vessels and their equipment sold.

During the same time the formation of a new joint-stock for sending a second fleet to the east around the cape of Good Hope was begun. When a book in which to put these subscriptions was circulated among the members without very full response the lords of the council and even the queen criticised the company for its slackness, as compared with the Dutch, who had continued their expeditions with resolution and success. But between the plans for a north-west passage and the suspense as to the success of the first fleet, members of the company were not yet in a mood to undertake a new adventure.[1]

[1] Stevens, 182, 183, 186, 189, 199, 206–18, 227–39.

In the meantime the fleet had passed through many adventures. Nothwithstanding its "merchantlike course" it captured a Portuguese vessel in the Canaries and did not hesitate to take possession of its cargo of wine, meal and olive oil. The ships made their first stop at the site of modern Capetown; by Christmas they reached Madagascar, by May the Nicobar Islands, and on the fifth of June sailed into the harbor of Acheen, in Sumatra, where they found sixteen or eighteen vessels of various eastern trading nations. There were some Dutch merchants in the town. The choice of Acheen had probably been indicated by the reports of Davis and Linschoten, and possibly by the earlier observations of Lancaster. One of the queen's letters was delivered with all ceremony to Prince Ala-ud-dhin, who was ninety-two years of age and the founder of a new dynasty. The gorgeous dress and ceremonial, the elephants, the feasts, the cock-fighting, the sending to and fro of embassies, the long negotiations for a treaty of freedom of trade, and the sharp rivalry with a Portuguese ambassador were all characteristic of the east, as the east has always been.

Lancaster succeeded eventually in forming a treaty with the prince, or king, as they called him, giving the English all the privileges they desired; but they found difficulty in securing a cargo because of the competition for the comparatively small amount of spices available there. A more fruitful source of supply was found on a cruise to the Straits of Malacca where a great Portuguese ship of 900 tons sailing from Bengal to Malacca was captured. More goods were obtained by this capture than could be loaded on the English ships, though they were not of such high value as the spices and precious stones which Lancaster was specially seeking. Nevertheless he "was very glad of this good help and very thankful to God for it." After returning to Acheen and receiving from the king an eloquent letter in Arabic, a ruby ring and some cloth of gold as presents to the queen, Lancaster and his companions took their leave, the king and his nobles on the one hand and the Englishmen on the other

singing psalms of David in turn, the Sumatrans in Arabic, the English in their own tongue. Then they sailed to Bantam in Java. There they delivered another of the queen's letters and the company's presents and had much the same experiences as at Acheen. They sold the goods brought from England and captured from the Portuguese and completed the lading of their four vessels with a cargo consisting principally of pepper, cloves and cinnamon.

From Bantam Lancaster sent a little vessel he had built in Madagascar to Banda in the Moluccas, with some seventeen men to establish an agency there and collect spices for later voyages. He established also in Bantam eleven men with orders to sell the goods he was obliged to leave behind and to purchase others ready for the next coming of the company's ships. It was now February, 1603, two of their vessels had been despatched singly and now the other two sailed together for home. In a hard storm these two vessels, the admiral and vice-admiral, were driven far south of the cape of Good Hope. Lancaster in the Red Dragon, his rudder carried away, gave himself up for lost and sent his consort, the Hector, orders to leave him and make the best of her way homeward. He sent by her a letter to his employers giving a report of his operations and leaving as his most valuable bequest the characteristic message of an Elizabethan navigator, the positive and confidential information that "The passage to the East India lieth in 62½ degrees by the north-west on the American side."[1]

But the storm subsided and Lancaster, as well as all the company's ships and their profitable cargoes, came safely to the Thames by the late summer of 1603. The queen however was dead, and the history of the later voyages, of the conflicts with Portuguese and Dutch, of the conquests in India, of the changes in the organization and the development of the trade of the East India company lies beyond the period of this work.

The deliberation, system and skill with which this the last

[1] Markham, *The Voyages of Sir James Lancaster to the East Indies*, 57–107.

of the Elizabethan companies was formed and the success of its first expedition show what progress had been made in this sphere of activity since the early days of the Muscovy, Eastland and Mediterranean companies. England had already by the close of the reign of Elizabeth established a certain kind of external dominion, the forerunner of the empire whose foundations were to be laid by colonization and conquest during the next century. It was a trading not a colonial empire. A few Englishmen scattered in various distant countries in the service of the commercial companies; administrative rights from the home government possessed by these companies; certain semi-political privileges from the rulers of the countries in which they were established; embassies from the English government to Russia, Denmark, Poland, Turkey, Morocco, and somewhat later to Indian potentates, supported by the respective companies; their operations looked upon as partially at least official actions; their monopolies, powers and duties enforced by the privy council, the star chamber and the law courts, — such was the dominion of the chartered companies which we have seen built up during the period of this survey.

It is impossible to tell the exact number of persons connected with this system at home, but an estimate can be made of the number of members and employees of the companies settled in foreign lands at any one time that will not be far from the truth. There may have been between one and two hundred in Russia. In the Baltic, of the older English residents in Dantzig and the more newly established merchants at Elbing there were probably as many more. In the cities of the Netherlands and north-western Germany, a still larger number of Englishmen connected with the old Merchant Adventurers were living. There were Englishmen in the French, Spanish and Portuguese commercial cities through the whole period of the war, both independent merchants and representatives of the old company of merchants trading to Spain, but they can hardly have been numerous. In the Mediterranean, in the service of the Levant company as

consuls, factors, clerks and messengers, there was evidently a very considerable number of men, certainly one or two hundred. In Morocco English merchants and their employees are spoken of as if they numbered a score or more. On the Guinea coast probably none stayed from voyage to voyage, but quite a number were temporary visitants. In the East Indies, as has just been seen, twenty-eight men were left behind from the first voyage and this number gradually rose later to the very considerable body of East India Company's civil servants. Perhaps therefore some six or eight hundred men were, about the year 1603, stationed in foreign lands as representatives of the English commercial system. At the same time some forty or fifty vessels, the property of the joint-stock companies or of individual merchants trading under the corporate privileges of the companies that did not use a joint-stock, must yearly have sailed between London and the more distant parts of this commercial empire, an empire that was a characteristic product of the trade, enterprise and exploration of Elizabeth's reign.

Part IV
Violence on the Sea

Part IV

Violence on the Sea

CHAPTER XXI

REPRISALS AND PRIVATEERING

IN order to understand clearly the course of events in the later years of Queen Elizabeth it is necessary to pay some attention to the constantly recurring instances of seizure of ships on the waters adjacent to England. The rights of possession have never been so clearly defined upon sea as upon land. Every square foot of land is under the administration of some government which performs its duty and finds its interest in enforcing the laws of property, but on the high seas the right of the strongest is restrained only by remote protection, artificial devices and a somewhat crude sense of justice. Even modern international law permits forms of violence at sea that are illegal on land. In the sixteenth century this relative lack of consideration for persons and property at sea was still more marked and it was shared in by all seafaring peoples. The English, however, rightly or wrongly, held an invidious primacy among them. They had a reputation throughout Europe as a "nation of pirates." In 1582, while England and Spain were still on comparatively good terms, the Spanish ambassador complained of his ill luck that he had all the time to lay complaints of English piracy before the queen. In 1592 when an English ambassador went to Copenhagen "he was railed at by divers gentlemen of the court, who called him thief, and said that our countrymen were a company of thieves and had robbed their ships." A contemporary German pamphleteer, speaking of the year

1598 says of Elizabeth, "She prepared in that year certain corsairs and sea robbers who siezed grain ships upon the ocean." An Englishmen writing to Secretary Cecil in 1602 from Rouen says of the French, "The better sort hate us for continual complaints in sea causes, as though our nation lived on their spoil." Maffeo Michiel, governor of Zante, writing to the doge, April 29, 1603, says of the English, "I myself am firmly convinced that there is not a sailor of that nation but is a pirate."[1]

Testimony does not come only from abroad. The privy council speaks of frequent charges of piracy and the resulting "great infamie of this nation and impairement of good frendshippe and neighborhood abroad."[2] Many of the exploits of Hawkins, Drake and Cavendish were of dubious honesty in the eyes of the more scrupulous Englishmen of the time. In the eyes of foreigners they were mere piracy and spoliation. We have already seen the seizure of the grain hulks during the Portugal expedition precipitate a long dispute with the Hanse towns. Constant interference with their ships passing through the Channel was, it will be remembered, an object of bitter complaint on the part of the Dutch; and Henry IV, notwithstanding his dire need of the English alliance, frequently protested against the violation of the freedom of French ships. Seizures at sea run all through the history of the time. They embittered the conflict with Spain, strained alliances, entered as a large factor into voyages of discovery and projects of colonization, were intermingled with the fortunes of the commercial companies and crowded the docket of the court of admiralty. Accusations, disputes, difficulties and recriminations connected with violence at sea meet us at every turn in contemporary records, and there can be no doubt of their influence on international relations and even on internal conditions. But it does not seem likely that the

[1] *Cal. State Papers, Foreign*, May–Dec. 1582, 21; Birch, *Memorials*, i, 78; Johann Mayr of Freising, *Kurzerbericht Aller Gedenkwürdiger Sachen*, 23 b; *Cal. State Papers, Dom.*, 1601–3, 269; *Cal. State Papers, Venetian*, 1603–1607, 13.

[2] *State Papers, Dom., Elizabeth*, clxi, 20.

English when they went to sea exceeded all other nations in turpitude, or were sinners above all other sinners. Many of the actions which were indiscriminately described by those who suffered from them as piracy may be otherwise explained by a more unprejudiced observer. It will be the object of this chapter and those that immediately follow to discriminate among the various forms of violence at sea, as well as to describe the occurrences themselves.

Some, in the first place, were instances of reprisal. The legalized recovery of the value of stolen goods by violent seizure of goods of equal value from fellow-countrymen of the original offender was a crude but familiar form of obtaining maritime justice, "the last remedy and curse of reprisals," as a diplomatist of the time calls it. Efforts had been made to restrain the practice by agreement, as in the tenth article of the treaty of 1542 between England and Spain, in which the grant of letters of reprisal by either government against subjects of the other was definitely forbidden; and somewhat similar agreements were made with other countries. But these agreements were poorly carried out and ineffective, even where they existed. Such instances as the following were familiar. A certain John Chappel, an Englishman, carrying wax, tallow and hides from Revel to Lübeck had his ship plundered by freebooters coming out from Dantzig. He used his commercial influence to obtain letters from the czar of Russia, the king of Denmark and the duke of Mecklenburg directed to the authorities of Lübeck and Dantzig asking for justice on those who had pillaged him, or the return of his goods. These appeals were ineffective, and during the altercation another ship of his laden with copper and herrings was seized at Lübeck and he was himself imprisoned for a time and ill-treated. Under these circumstances he appealed to the English privy council in May, 1581, asking them to procure for him from the queen "letters of marke," authorizing him to seize goods belonging to the merchants of Lübeck wherever he could find them, to reimburse himself for his loss.

At about the same time the ship of an English merchant named Francis Tucker, the John of Plymouth, being in the harbor of Cività Vecchia, laden with tin, lead and other metals, was plundered by an officer of the pope of 2000 ducats worth of its cargo. For three years Tucker sued at Rome for their restoration, and at one time seemed about to secure a satisfactory decision, but finally reaped only obloquy and an imprisonment of seventeen months by the Inquisition, as he declared, on a false charge of being a spy. He then petitioned Secretary Walsingham to secure for him from the queen authority to seize by sea or land wherever they might be found in her dominions any goods owned by the pope or subjects of the pope, to the value of his losses and charges.[1]

William Ratcliffe, a Chester merchant, in 1578 sent to Bilboa a ship loaded with kerseys and cottons to the value of £1500. Within forty leagues of the coast of Spain it was robbed and spoiled by Spaniards from Corunna and the towns thereabouts. On the return voyage from Bilboa the next year his ship was again plundered near the same place by some Spanish ships on their way from Corunna to Ireland, all her goods taken, and her captain "cruelly murdered and then hanged." Ratcliffe petitions the privy council to grant him the queen's "letters of mark against those Spaniards of Corunna and of the townes thereabout, thereby to recover the value of his goods spoiled and his losses upon them." So four merchants of London complain that some Scotchmen have seized their ship, the Flying Swallow of Dover, on her way from the Low Countries to England, causing the loss of £3000, and although they have obtained a judgment they cannot collect it. They ask for the right to seize a corresponding amount of the property of Scotchmen. Again, Joan Johnson complains of the capture of her husband's ship the Jonas of London on its way from Rye to Rochelle by four vessels from Conques, Nantes and Brest, and asks for "sufficient authorities for ye staying of any shipp or shippes of any

[1] The queen to the Warden of the Cinque Ports, 1560, *Additional MSS.*, 34,150, fos. 57–9; *State Papers, Dom., Elizabeth*, cxlix, 4, 35.

the aforesaid townes which shall first or next arrive in any part of this realme." Still again, three English merchants declare that they had £2800 worth of merchandise destroyed in the environs of Lisbon by Spanish soldiers at the capture of that city in August, 1580, and that they have sought restitution unsuccessfully in the courts both of England and Spain. They therefore ask for letters of reprisal against the king of Spain and his subjects for the recovery of their loss. Sometimes the damages claimed were cumulative, as in the case of William Colston of Bristol. His original loss of £900 by ill-treatment at Flushing had been increased by later seizures during a long altercation, by ransom which he had to pay for his capture by Dunkirkers, and by interest at ten per cent, till he was granted by the judge of the admiralty letters of reprisal for £3267, 14*s* 8*d*.[1]

The answer to such petitions was usually the grant under the seal of the lord admiral of a "letter of reprisal" or a "letter of mark," giving the authority asked for. The recipient of such a letter might wait till a vessel from the port or country named should arrive in England, and then through the officers of the admiralty arrest the ship and make claim on the goods to the extent of his losses; or he might proceed to fit out and arm a vessel and sail away to seek his restitution where he might find it. The latter was the more attractive plan. For instance, we hear of a certain merchant of Exeter named Haynes who had been given a letter of reprisal in consideration of certain losses in Spain, buying an old vessel, the La Volante of St. Malo, spending £595 in repairs, victuals and equipment, and hiring eighty men to go with him on his voyage to utilize it. Such letters of reprisal had a commercial value, and were objects of sale, security for loan and bequest. In 1582, Thomas Dickinson of Bristol obtained a letter of mark against the men of St. Malo for losses by the plunder of his ship the Valentine to the amount of £2213. Subsequently, before he had obtained restitution, he became

[1] *State Papers, Dom., Elizabeth*, clvii, 50, 93, clxxx, 12, clxxxii, 22, ccxxx, 115; *Acts of the Privy Council*, xvi, 53.

bankrupt and then died. The letter was considered a part of his estate and a claim against it was transferred to one of his creditors.

Such letters were granted freely by other nations as well as England. In 1587 when some French vessels sailed into the harbor of Yarmouth in a time of dearth, the authorities seized the rye which formed their cargo. The French later, when four Yarmouth vessels came to France, seized them in reprisal and sold their cargo to the value of £1400. This was quite independent of any hostility between England and France; in fact they were at this time on especially close terms of friendship. Yet in May of the same year the king of France granted a letter of reprisal to some men of Morlaix allowing them to secure reimbursement from certain Englishmen. It is not difficult to imagine the odium resulting from a series of captures which, however legal, were made from innocent parties, belonging to friendly nations and in time of peace. They were moreover especially liable to abuse. Complaints about reprisals are a stock subject of international negotiations during this period.[1]

In 1585 this system, so far as it was practised by England, was vastly extended and even systematized, although only against those who could no longer be considered her friends. On the 20th of May of that year the king of Spain issued orders to the governors of his coast towns to seize the persons and property of all English merchants and mariners in Spanish cities and ports at that time, and all such as should come in later, on the nominal ground that ships and supplies were needed for the great fleets he was organizing in Lisbon and Seville. The real object was to show his disapproval of the long series of injuries which the English had inflicted upon him. Immediately a series of appeals were made from merchants for leave to reimburse themselves by seizing Spanish

[1] *Acts of the Privy Council*, xv, 138–9, xix, 435; *State Papers, Dom., Elizabeth*, clii, 18, clxxxii, 8, ccxxxviii, 64; *Lansdowne MSS.*, cxv, 196–7, Bekker, *Der Afrikahandel der Königin Elisabeth von England und ihre Handelskrieg mit Portugal*, 90.

shipping and goods for their losses thus suffered. In response to these appeals and to the challenge of Philip a formal order was signed by the queen July 9, 1585, requiring the lord admiral to issue letters of reprisal to all claimants of losses by this action of the king of Spain, under conditions to be formulated by six or more members of the privy council.[1]

On the same day the council, after consultation with the merchants, laid down for the guidance of the lord admiral eight articles or rules for granting licenses "to reprise upon Spagnardes." Merchants must make proof before the lord admiral or judge of the admiralty of the fact of their loss in the dominions of the king of Spain and its amount; they must give notice of the name, tonnage and armament of the ship they propose to send out, with the name of its captain, number of its crew and length of time for which it is victualled; and finally they must give bonds in the admiralty that they will bring all captures into the nearest English port and not break bulk till a proper inventory is made before a vice-admiral or other officer. They must also agree not to injure any subjects of the queen or of any state in league and amity with her, but only attack subjects of the king of Spain. These formalities having been complied with a license was given to attack and seize the ships or possessions of any Spaniard, and to dispose of their captures according to the law of reprisals, or as if there were a condition of war between the two countries. Neither the holder of such a commission, the person to whom he sold his captured goods, the adventurer who joined with him in the expenses of the expedition, or the mariners who served in his ship need fear prosecution or danger from her majesty's laws. The lord admiral's seal made all legal. These ordinances remained in force, with some modifications, through the remainder of Elizabeth's reign. In their original form no decision by a prize court was necessary, but July 20, 1589, the rules of 1585 were reissued with a ninth clause added,

[1] Hakluyt, vi, 417–18; *Pat. Roll*, 27 Eliz. pt. 10, No. 1263, printed in Prothero, *Select Statutes*, 3rd ed., 464–5.

requiring formal condemnation of the prizes by the court of admiralty before they should be sold.[1]

The privileges offered by the edict of 1585 were immediately made use of. July 10th, the day after the signature of the order and formulation of the articles, the admiral issued a letter of reprisal to Robert Kitchyn of Bristol, who declared his loss by the stay and seizure in Spain to be £6500, showed that he had equipped and victualled for four months the Gift of God of Bristol with eighty mariners and soldiers and twenty-four cannon, and gave the necessary bonds.[2] From this time forward letters of reprisal against Spain were issued in legions. Within the next eight months, from July, 1585, to March, 1586, some fifty letters were given, and in the remaining months of 1586 and subsequently they were still numerous, one hundred and fifty having been given by 1591. The registrar of the admiralty about this time drew up a list showing letters given to fifty men, coming from twenty-two seaports, for losses on seventy vessels of amounts varying from £500 to £19,000, and aggregating £114,696. On this list are found the names of many of the best known merchants of the period, whose trading ships were found in the Baltic and the Mediterranean, on the coasts of Africa and the intervening seas. The holders of these roving commissions were authorized to go forth to the seas "for the apprehendinge and takinge whatsoever the subjects of the kinge of Spayne their shippes and goodes in respect of theire goodes and merchandise stayed and arrested within the Kinge of Spayne his dominions." Such letters continued regularly to be given against Spain through the remainder of Elizabeth's reign. They were still being issued to prominent merchants in 1597, when on the 28th of September Thomas Offley of London, who had proved his loss of £2000, was given a letter in the usual form.[3]

[1] *State Papers, Dom., Elizabeth*, clxxx, 15, ccxxv, 36, 37.

[2] *High Court of Admiralty, Exemplifications*, 23, printed in Prothero, *Select Statutes*, 3rd ed., 465–7.

[3] *Court of Admiralty Papers, Letters of Mark, Bonds, etc.*, Bundles i and ii; *Lansdowne MSS.*, cxlii, 109–113; *State Papers, Dom., Elizabeth*, Case G, No. 7.

The articles of July, 1585, did nothing more in form than provide a regular and easy way of securing through letters of reprisal directed against one particular nation, the restitution of losses caused by the ruler of that nation. The fiction was still kept up that there was no war between the two sovereigns, and so no general letters of mark and reprisal were issued. Even the official commissions given to the commanders of fleets containing queen's ships, going on armed expeditions against the Spanish fleets and dominions, frequently make mention of losses supposed to have been suffered from Spain. This ambiguity as to the relations between the two countries was never formally removed. In parliament, February 27, 1593, several speakers, among them Ralegh, expressed regret that no one knew even yet whether it was "war or no war" against Spain, or whether goods taken from Spaniards, presumably without a special letter of reprisal, were lawful prize or not. It was therefore proposed to introduce into the grant of subsidies the statement that they were for an offensive and defensive war against Spain, and that it should be lawful for any Englishman to seize Spanish goods where he could find them. Nevertheless the presumption continued to be that specific losses had occurred and that for these losses alone restitution was sought.[1]

As a matter of fact there were many deviations from this theory, and from 1585 there existed in reality what amounted to a general system of privateering against Spain. In the first place, it was not likely, under the political conditions of the time that Englishmen who were ready to make attacks upon Spain would be required to prove very accurately the amount of their losses. As a matter of fact letters were given simply on the agreement within a certain time to prove the losses claimed. Merchants were sometimes relieved of the necessity of proving their claims on the ground that they were in the queen's service. In still other cases the proof was suspended

[1] *Commission to the Earl of Cumberland*, Oct. 4, 1588, *State Papers, Dom., Elizabeth*, ccxvii, 7; *D'Ewes' Journals* (ed. 1682), 477–8.

altogether, as in the lord admiral's order to the judge of admiralty, November 11, 1585, to give letters of reprisal to a certain Richard Pott of Deptford, with the clause "It shall not be needefull for him to make proof of losses." Again, letters were occasionally issued without mention of losses at all, as in that given to John and William Hawkins and a company from Plymouth setting forth two ships and a pinnace in October, 1585; or in the case of a man named Ward who is "intending to passe unto the seas uppon his owne adventure against the Queene's majestie's enemies with one shippe or bark called the Barke Corbett." Sometimes it was not the losses but the claimants who were fictitious. Less than two weeks after the proclamation of July, 1585, three merchants of Barnstaple wrote to Alderman Martyn of London stating that letters of reprisal have been taken out in their names without their consent and against their wish, as they hope for restitution of their goods by personal influence in Spain. Sometimes the letters of reprisal were incidental to other interests, as in the case of the merchants going to the Mediterranean described in the admiralty order of September 19, 1585. "Mr. Caesar; whereas this bearer Thomas Barnes, merchant of London, intendeth to set oute the good ship called the Maie Floure of London uppon a merchant voyage to Zant within the Straights, and hath bin an humble sutor to have letters of reprisall against the king of Spaine and his subjects or his or theire goods, that if the said ship shold happen to meet with any such prise she might take the opertunitie of soe good an occasion; these are therefore to require you, etc." Indeed a letter of reprisal not infrequently was made to serve instead of other wares for the purpose of securing a return cargo. Some merchants at Taunton had planned to send a ship on a voyage to Guinea, but the goods not being ready and the season being late, "the said ship departed presently to the south without any goods, having but onlie a letter of reprisall and no other merchandise with them."[1]

[1] *Admiralty Court, Letters of Mark, Bonds, etc.*, Bundles i and ii; *Answer to the Affirmation of the Merchants of Taunton, Lansdowne MSS.*, lv, 76.

Nor was it likely that even in cases where the amount of loss was named in the commission the admiralty authorities would look too narrowly into the exactness of the amount of restitution obtained. The lord admiral received one tenth of all prizes captured, not one tenth of the losses proved. The form of payment to participants provided for in the ordinances did not lend itself to a close calculation. It required the value of captures to be divided into three equal parts, one to go to the merchants and owners of the vessel taking the prize, one to the victuallers, one to the captain, master, mariners and soldiers. It would be difficult under these circumstances to know just when the original claimant had had his losses reimbursed. Instances exist of a holder of a letter of reprisal against merchants of a friendly state being called to account for exceeding the amount of his claim, but none has been found of such limitation of captures from Spaniards. Strict inquiry into the amount of losses was not made any more probable by the fact that the admiral himself, as well as many other officials and courtiers were adventurers in expeditions sent out under letters of reprisal. One of these, Sir George Carey, vice-admiral of the Isle of Wight, on hearing of the Spanish edict of seizure, even before the issue of the queen's proclamation, wrote to Walsingham June 25, 1588: "Her majesty will not endure the injury unrequited but procure amends and satisfaction eyther by publicke warr or secret admittance of her subjects to take theyr revenge and recovery of theyr losses." In case of a "secret sufferens of her majestie's subjects to take some revenge uppon the kinge and his, then will I make sute by you and other my good frends to be admitted amongst the number of such adventurers as eyther will leese part of what they have or gett more from the kinge of Spayne. . . . Her majestie shall not neede to espy the faults of those which will venture theyr owne to do her sarvis." He hopes that the queen will "suffer her subjects to repayre theyr losses, and yet somewhat to anoy the kinge, without her private charges."[1]

[1] *Acts of the Privy Council*, xvi, 22; *State Papers, Dom., Elizabeth*, clxxix, 36.

It is suggestive of Carey's standards that he proceeds to recommend that Fludd the pirate, who professes to be weary of his former trade, be pardoned and allowed to go to the coast of Spain on this service. The same Carey reports a cool offer made by a certain shipmaster to go to Gibraltar, obtain charge of a Spanish ship and bring it to the Isle of Wight where it may be seized by the vice-admiral himself. In 1589 Ralegh had a ship under Captain Marksbury in the Azores as a privateer, in 1590 and 1591 in partnership with a London merchant he had several vessels in the Caribbean sea, and in 1592 he had the Roebuck at sea "on reprisals"; in 1592 Lord Admiral Howard had the Lion's Whelp at sea; in 1598, not only had the earl of Essex a ship with seventy-nine men serving against Spain, but Secretary Cecil was consulted by a relative as to whether their ship the Dainty should "goe to sea in reprisalls."[1] The profits were often very attractive. Captain Scales brought into Dover harbor, September 4th, 1599, a Portuguese ship called the San Pedro, which had taken on its principal lading at the island of St. Thomas. Part of its cargo was 2318 chests of sugar, 88 elephants' tusks, weighing altogether 3200 pounds, 12 ivory hunting horns, a considerable amount of gold and silver, some raw cotton, various drugs and "fifteen negroes which were sold in London." A curiously inconsistent but interesting part of the same cargo was "ninety-three great books of the civil law."[2]

So far as Spanish vessels were concerned any limitation on capture by private persons practically disappeared, and letters of reprisal were little else than a form of commission for making depredations upon them. They were somewhat later extended even more widely, to certain distant subjects and allies of the Spanish king. August 23, 1587, the queen wrote to the warden of the Cinque Ports directing him to urge the merchants and mariners of the towns under his

[1] *Cal. State Papers, Dom.*, 1591–4, 415, 1598–1601, 93, 95; *Lansdowne MSS.*, cxv, 173; Hakluyt, vii, 6; Murdin, *Burghley Papers*, 653.

[2] *Lansdowne MSS.*, cxlii, 34.

control to fit out vessels at their own cost for service against any enemies of England or of Holland and Zealand. They were allowed to have what they should capture, as though it were obtained through lawful traffic, or were prize taken in time of war. They might capture any prohibited goods being carried without a license and any ships declared to be subject to prize in the Dutch proclamation of April, 1586. Disputed cases were to be tried in the admiralty court in Dover. Eleven rules were drawn up for the grant of such commissions. On conforming to these and entering into bonds, adventurers were at liberty to capture, sell and profit by all such goods, without question in the courts or any charge of illegality. Although Burghley rather deprecated this plan and expressed to the warden the hope that peace with Spain would soon prevent "your ports to lyve by sea service as men of warr," yet arrangements were immediately entered into for the equipment of seven vessels on these terms, and the Cinque Ports continued to furnish an additional contingent to other English vessels commissioned to make captures at sea.[1]

Two years later, when England had become involved in the civil war in France, the lord admiral was empowered to issue letters of reprisal to Englishmen against merchants of the French towns which had joined the League. The rules were much the same as those of 1585, except that all prizes must be brought into either Portsmouth or Dartmouth, that a tenth of their value was due to the king of France, as well as the tenth due to the lord admiral, and that the French ambassador should give his endorsement to the condemnation of the prize. The seizure of vessels from the ports of France in rebellion against Henry IV, of which there were numerous instances, was mere privateering, without question of restitution of losses involved.[2]

[1] *State Papers, Dom., Elizabeth*, cciii, 51; Burghley to Cobham, Sept. 30, 1587, *Additional MSS.*, Vol. 34,150, fo. 47.

[2] Marsden, *History of Prize Law, Eng. Hist. Rev.*, xxiv, 695, *Select Pleas in the Court of Admiralty*, Selden Soc., ii, lxxiii, 170–2; *Lettres Missives de Henri IV*, iii, 715–17, iv, 1033.

With so many letters of reprisals extant it is not strange that molestation even of friendly vessels became a serious difficulty. In 1590 the lord admiral ordered the judge of the admiralty to introduce into the letters of reprisal a clause declaring that the letters would be forfeited and the ship confiscated if the holder committed any spoil upon the allies of England. At about the same time regulations were issued requiring formal proof in each case that the ship or goods captured were Spanish or the property of allies of Spain. Some time afterward, February 3, 1591, it was found necessary to issue a public proclamation on the subject. This declared that complaints had been made of English subjects on the coasts of Spain with letters of reprisal seizing the goods and ships of nations or states at peace with England. Investigation had been made and two such instances had been discovered and restitution ordered. All persons molesting the property of the subjects of the French, Scotch or Danish kings, or of the inhabitants of the Low Countries or Hanse towns or other allies, would in future be treated as pirates. In 1598 a special warning to English privateers going to the Mediterranean was issued in favor of Venice and Tuscany.[1]

[1] Marsden, *History of Prize Law*, *Eng. Hist. Rev.*, xxiv, 690; *Dyson's Proclamations*, 288; *Cal. State Papers, Dom.*, 1598–1600, 153, 156; *Chamberlain's Letters*, Camden Soc., 69.

CHAPTER XXII

THE SEIZURE OF CONTRABAND

THE practice of privateering was directed for the most part against the enemies of England. There was another form of seizure that fell particularly upon her friends. This was the enforcement of the rules of contraband. It had been an ancient practice of the English government, as of other states, when at war, to weaken their enemies by keeping from them as far as possible the means of carrying on war. To reach this end neutral nations were asked to refrain from sending such articles, and in case of non-compliance goods so shipped were confiscated if they could be captured. This policy was particularly applicable to the contest between Spain and England, on account of the economic condition of the former and the geographical location of the latter. Spain could neither feed her armies, victual her fleets or equip her war-vessels without the grain, the timber, the tar, the cordage, the sail cloth and the munitions of the countries that lay to the north of her. On the other hand her American and outlying European possessions gave her command of much money. According to Lord Burghley, "Without havyng of masts, boordes, cables, cordage, pitch, tarr, copar out of the Estland, all Spayn is not hable to mak a navy redy to carry the meanest army that can be imagined, and if his money brought out of the Indies shold not tempt the Hanzes to bryng hym these provisions, Spayn wold not offer to make war by sea with England."[1] Both her necessities therefore and her means made her an excellent customer for the products of France, the Netherlands and the countries on the Baltic, and an extensive and lucrative traffic in such wares took place between those countries and Spain.

[1] *Lansdowne MSS.*, civ, 71b.

As the war drew on, the geographical position of England on the other hand made it possible for her, if she had the will and the shipping, to close up to a great extent the routes by which this traffic was carried on. She naturally made use of her position, and it was this policy of seizure of contraband goods which embroiled her, more than any other one cause, with the northern countries of Europe, during the remainder of Elizabeth's reign. A large part of the opprobrium cast upon England for her maritime offences was due neither to the policy of reprisals on the one hand nor to piracy on the other, but to her vigorous assertion of a right to seize warlike goods on their way to the enemy.

This policy, although a familiar one, was first clearly stated for this period at the practical opening of the war in a series of negotiations with the authorities of Hamburg. September 21, 1585, the senate of Hamburg, anticipating such difficulties, wrote to Elizabeth asking "that their ships might pass quietly into Spain and Portugal, without stop or hindrance, either in their passage or repassage, by her majestie's captains at Sea." The queen replied definitely refusing "to suffer our enemyes to be ayded with corne and provision for warr." In 1587 Sebastian Berghen, secretary and agent for Hamburg, appeared before the privy council in England with new letters repeating the former request. The council replied that the queen did not deem it reasonable "upon any colour to graunt either to the Hamboorger or to any other the Hanse Townes whosoever, to carry corne, gunnepowder and other appurtenances for the warr to Spain," and threatened that if the vessels and goods of any of their merchants violating this prohibition fell into the hands of any captains or other subjects of the queen "they should be made good prises." By the year 1587 it had become a well settled determination on the part of the English government to enforce this policy generally. Burghley, in a letter to Hatton, dated May 12, states his belief that if the enemy can be kept from the receipt of victuals he will yield to the reasonable conditions of the queen. In November, 1588, the council

summoned the alderman of the Steelyard before them and requested him to transmit a repetition of this warning to all the Hanse cities, and later examined and approved the letter drawn up for this purpose by the alderman's secretary. Further correspondence on the same subject with Lübeck, Hamburg and Dantzig followed during the next few months.[1]

The instructions given to the commanders of the Portugal expedition, signed in February, 1589, included, as has been seen, stringent orders to enforce the rules of contraband. May 18, 1589, the privy council wrote to Drake and Norris of their news that some Hanse vessels were going around the north coast of Scotland on their way to Portugal, and requiring them to watch for their arrival. The movements of vessels suspected of having such goods aboard became a regular subject of watchfulness and warning. In a certain case somewhat later the lord mayor of London informed the lord admiral that he had lately learned of the departure from Hamburg of fourteen sail of ships laden with corn, powder, brazen cannon and cable rope, all for the Spanish king, and expresses his hope that they will be captured. On November 20, 1588, Sir Thomas Bodley was ordered to protest to the estates of the Netherlands against their merchants sending such commodities to Spain, and a few months afterward, August 30, 1589, the estates are warned that certain ships of Zealand and Holland are loading with goods for Spain, and the threat added that they will certainly be seized if they are met with on the seas. January, 1589, the English privy council appeal to the sense of equity of the French king against the undue help being given to England's enemies, and when the subject of a new treaty came up later in the year, the queen earnestly requested the king to prohibit "the carriage of any grain or other vittel into Spayn or Portugal."[2]

As late as September 12, 1591, Lord Burghley asked Dr.

[1] *A Declaration of the Causes*, etc., 8–10; *Cotton MSS., Nero* B, iii, 286–293, 368; *Lansdowne MSS.*, civ, 71, *State Papers, Dom., Elizabeth*, cci, 15.

[2] Overall, *Index to Remembrancia*, 244; *Cotton MSS., Galba*, D. iii, 265; *Lansdowne MSS.*, civ, 57b.

Christopher Parkins, who was especially familiar with the policy of the Baltic states, to draw up an appropriate letter for the queen to sign, urging those countries not to transport into Spain merchandise suitable for the uses of war. In defence of this declared policy Burghley was able to quote a long series of precedents from the practice of Sweden, Poland, the Emperor and the Prince of Orange, as well as the wording of the English *Carta Mercatoria*. He might have found other precedents from the history of France, England and the Low Countries going back to a much earlier period. Nor was the policy at this time peculiarly English. Early in 1589 the Venetian ambassador in Spain writes to the doge that certain Venetian ships now in Lisbon, loaded with sulphur, saltpetre and other munitions of war intended for England, are likely to be confiscated by the king of Spain. But it was England which had the greatest occasion and the greatest opportunity to enforce it. The officers of her ports were ordered to watch against any infraction of the policy. August 8, 1588, while the Armada was actually on the coast, a Swedish ship which had stopped at Harwich had her destination and recent movements examined into carefully. On the last day of the year 1588 the council writes to the vice-admiral of Cornwall, telling him to stay all ships going toward Spain, except English vessels which have obtained "letters of lawfull reprisall," until it has been found whether they contain any prohibited articles. Soon afterward a proclamation was issued forbidding merchants, native or foreign, to carry any grain from England to Spain, under penalty, if they were Englishmen, of execution as traitors. A year or more later a proclamation was issued in much the same terms extending this prohibition to the transport of grain to the towns in France which adhered to the League.[1]

It was by no means unnecessary to include English

[1] *Acts of the Privy Council*, xvi, 226, 356, 421–2; *Cal. Hatfield House MSS.*, iii, 263; *Cal. State Papers, Venetian*, 1581–91, 811, 888; *Cotton MSS., Nero* B, iii, 290; Marsden, *History of Prize Law, Eng. Hist. Rev.*, xxiv, 677–89; *Lansdowne MSS.*, civ, cxv, 112–114; Oppenheim, *Naval Tracts of Sir William Monson*, Navy Records Society, i, 272–5.

merchants in proclamations forbidding aid to the enemy. Notwithstanding Spanish seizures of English ships and merchandise, when Englishmen took to Spain or shipped to Spain in foreign vessels what was especially needed in that country, it had ready, profitable and secure sale. Even English vessels when they brought grain or munitions of war were welcomed in the Spanish ports and found a market so profitable as to overcome both the patriotism and the fear of punishment of their owners. It was said that some of the equipment for the great Armada itself was purchased in England. In September, 1589, merchants of Sandwich were accused of making a practice of selling victuals to the enemies of England; in 1591, merchants both in the west and the north were examined on the same charge; and it continued to be declared by the Dutch and reported by spies from Spain that powder, shot, lead and grain were sent by Englishmen to the enemy.[1]

But all this theoretical statement and formal warning was of small significance compared with actual seizures. These began as early as 1587, and as they increased in number piled up difficulties for England that must have gone far toward offsetting the advantages of depriving Spain of her supplies. As early as May, 1587, a French ship of Havre laden with barley was seized, but soon afterwards discharged. The greatest activity began after the Armada. In November, 1588, twenty-seven vessels from Holland and six from Zealand by order of the privy council were stayed at Dartmouth and examined, but being found to be in ballast were allowed to go on their way to Rochelle and Bordeaux for their cargo. From this time forward English port officers continually stayed foreign ships for examination, and English cruisers and privateers brought a constant stream of French, Dutch, Hanse and Danish vessels into English harbors.

The numerous seizures on letters of reprisal and on the charge of contraband led to a system of issuing passports by

[1] *Acts of the Privy Council*, xviii, 91, xxi, 391, 434; *Cal. State Papers, Dom.*, 1590–91, 467, 1591–4, 284.

the lord admiral, or in his absence by the lord treasurer. Either after stay by the queen's officers or on entering an English harbor voluntarily, a foreign vessel sought and obtained an English license reciting the circumstances of its voyage and guaranteeing freedom from disturbance by English vessels on its passage to and from its destination. During a short period in the winter of 1587 and 1588, while the admiral was at sea, Lord Burghley issued thirty-seven such passports for vessels of various nationalities going to Rochelle, Madeira, Genoa and other ports.[1]

It seems to have been taken for granted that goods of Spanish subjects even when found in vessels belonging to allies of England, the famous "enemies' goods in friends' ships" of later international law, were subject to capture by English government officers or possessors of letters of reprisal. No especial proclamation or order was issued on the subject, but they were treated when found as if they were contraband goods, and no hesitation was felt in searching any ships suspected of having Spanish or Portuguese goods aboard. In July, 1589, the earl of Cumberland overhauled eleven Hanse vessels and took out of them all goods belonging to Spanish subjects, amounting to several thousand pounds in value; in 1591 four Hamburg ships were seized and a large quantity of spices taken out of them. These were only typical of many such seizures.[2]

The earliest instance of formal resentment to the aggressive policy of England came from the king of France. In December, 1588, six French ships laden with grain bound for Spain were stayed at Dover. The privy council wrote to the English ambassador in France telling him to explain the circumstances to the French king, to assure him that there was no sinister intention, and to offer to approve any arrangement for reshipment or sale so long as the grain should not reach Spain. Every form of courtesy and conciliation was

[1] *Lansdowne MSS.*, lv, 62, 69, cxliii, 440; *Acts of the Privy Council*, xvii, 365.

[2] Purchas, *His Pilgrimes*, xvi, 8; Oppenheim, *Naval Tracts of Sir William Monson*, i, 259.

used in this communication. Yet Henry on the sixth of February returned an angry reply. He had been stung by private seizures of French ships on letters of reprisal and by English piracies, as well as by the recent seizure of the grain ships and was in no mood to accept the full extreme of English claims. He declared that the principal source of income of his subjects was in the raising and transport of grain, and that freedom of traffic could not be forbidden by other nations which wished at the same time to retain peace and amity with him. If the queen wished to preserve such relations she could prove it by giving orders for the cessation of the constant vexations and inconveniences inflicted by her people upon his subjects engaged in navigation and traffic. So far as the special case of the six ships held at Dover was concerned he was satisfied to have their grain sold there if the highest market price was obtained for it, and if it should not be a precedent for further interference with the liberty of commerce.[1]

The English government was not inclined to draw the lines very tight in the case of France, and there are numerous instances of a moderate policy. At almost the same time that the grain ships were stayed at Dover, a Captain Harwell who had seized a grain ship of Roscoff in Brittany on its way from Calais to Villa Nova in Portugal, brought it into Helford Haven and sold it as lawful prize. He was ordered by the privy council to restore the price to the owner and to give him compensation for his loss. This was said to be "on account of the good league and amity between the two sovereigns," but it is hard to see any other difference than that the stay was specifically ordered by the council in one case, not in the other. Nevertheless, these were only alleviations, not an abandonment of the English claim of the right of seizure of contraband, even against France. Nor did the death of Henry III, six months later, and the much closer bonds drawn between Elizabeth and his successor seriously

[1] *Acts of the Privy Council*, xvi, 228, 236, 254, 384, 415–16; Henry III to Stafford, Feby. 6 1589, *Cotton MSS., Galba*, E. vi, 378; Rymer, xvi, 39.

change conditions. Most of the maritime towns were of course now in rebellion against Henry and in alliance with Spain, and seizures of their vessels were made on the same grounds as those of Spanish subjects. But even with Henry IV Elizabeth had more than one hot dispute over the seizure of vessels of his subjects on claims of contraband.[1]

To all commercial nations alike the English practice concerning contraband was naturally distasteful, but to the Dutch it was especially a cause of heartburning. The whole rising prosperity of the provinces was based on their unrestricted pursuit of commerce, and the sinews of war for their contest with Spain were largely provided by their trade with that country itself and with the League cities of France. It is a curious commentary on the economic position of Spain that she was forced to allow the merchants and sailors of her rebellious provinces easy access to her harbors and a free departure from them even while she was engaged in a relentless war against the cities and provinces from which those merchants and their ships had come. The very money which the estates used in fitting out vessels and armies against Philip was furnished by Philip and his subjects, through the profits of Dutch traders in Spain and the taxes and license fees paid in turn by those merchants to the government at the Hague. The Dutch therefore naturally continued to send provisions to Spain. The English however continued to seize Netherlands ships, sometimes temporarily, for the purpose of examination, sometimes condemning part or the whole of their cargo, on the claim that it was the property of Spaniards or that it was contraband. The Golden Noble, said to belong to Sir Walter Ralegh, brought the Jeanette and the Red Lion, two Netherlands ships, into Plymouth on the claim that these were laden with Spanish goods, which their owners denied. The earl of Cumberland held for some time in Plymouth a Middleburg ship named the Hare, whose owners claimed to be engaged in legitimate trade with

[1] *Acts of the Privy Council*, xvi, 414–15, 421–2; *Lettres Missives de Henri IV*, iii, 229–30, 715–16, v, 16–18, 36–7.

Bayonne. Drake and Norris utilized their vessels prepared for the Portugal expedition to seize seven suspected Dutch ships, besides the eighty commandeered for transport service. This was done against the constant protests of the Netherlands. In the complaints of the Dutch agent of October 4th, 1588, the queen is especially begged to discontinue all arrests of ships, as well as reprisals; partly because the Netherlands cannot stand the loss, partly for fear that other countries may follow the English example with disastrous results. The council sent an answer to the estates through Sir John Norris, who went to the Netherlands soon afterward to seek troops for the Portugal expedition. Although promising that no letters of reprisal would be granted except on public proof of denial of justice, a somewhat meaningless engagement, the council avoided making any promise about general seizures. Instead, Norris was ordered to point out to the estates that sending victuals to the enemy was a practice advantageous only to a few persons and would ultimately ruin the country and bring about the destruction of the common cause.[1]

The estates were not impressed with this reasoning and in a formal reply handed to the English resident January 25, 1589, they remind the English council that the Low Countries have no mines of gold or silver from which they can extract the money necessary for the war. They must therefore make use of such means as the Almighty has given to them, which consist principally in the facility for traffic. They have nevertheless always, so far as possible, prevented transport to the enemy of any munitions of war or naval supplies, and even in the case of food stuffs they will try to prevent their conveyance to Spain by their own citizens and by English merchants, though they cannot undertake to prevent foreigners taking such goods from their ports. A month later Ortel, the resident in London, asks that the passports of ships be accepted as to the nature of their cargo, without examina-

[1] *State Papers, Dom., Elizabeth*, ccxxiv, 186; *Lansdowne MSS.*, lviii, 86, cxlv, 178; *State Papers, Foreign, Holland*, xxvii, 17, clause 7, 33–39, 43.

tion; that the Dutch vessels lately carried into Plymouth by English men of war be released, and that ships going to and coming from Spain and France for the sake of rescuing their property from seizure be not stayed. If they are suspected of having Spanish goods aboard, he asks that the cases be tried by the regular English courts, not by the captains who had seized them. The estates themselves, angered by continued seizures, wrote about the same time a sharp letter protesting against the irregularities of the English captains, and calling attention again to the fact that the independence of the provinces would have been already lost if it had not been for the money arising from traffic and from licenses to carry on traffic. Yet even in the midst of their complaints they promise, as before, to conform to the queen's good pleasure in the matter of traffic with Spain, "as far as is in accordance with the good of the country and to the prejudice of the enemy." Successive assertions on the part of the Dutch of the necessity to the Low Countries of their foreign trade, and equally vigorous insistence by the English on their policy concerning contraband are caused by each new capture. Captain Raymond brings the Rose of Amsterdam into Plymouth; Sir George Carey, Sir Richard Grenville, Captain Winter, Captain Whidder, the Earl of Cumberland, Sir Walter Leveson and many other more or less officially recognized captains, including one known as "Incognito," during this winter seized, on one pretext or another, ships or money claimed by Holland or Zealand. The Dutch were able in 1589 to enumerate more than twenty instances of recent seizure, causing a loss of £232,982, although this list did not discriminate very clearly between cases of reprisals, of contraband and of capture by pirates of English nationality. Each of these cases was fought out in the admiralty courts and by petition to the queen, while Ortel and Caron laid protest after protest before the privy council.[1]

[1] *State Papers, Foreign, Treaty Papers*, Vol. 34; *Cotton MSS., Galba*, iv, 109, 144; *Lansdowne MSS.*, cxlv, 104, 184–9, 200–1, 213, 216, 218; *State Papers, Dom., Elizabeth*, ccxxiv, 186.

Sometimes there were moments of conciliation. On the 12th of February, 1589, the queen made a friendly request that the sending of all merchandise to Spain be suspended at least for a few months while Norris and Drake are on the seas and trade unsafe amidst so many war-ships. In May the estates sent through Ortel an offer to prohibit by public proclamation the carrying of contraband goods to Spain if the queen would agree to give a public commandment to all her captains to refrain from any disturbance of Netherlands ships, so that "every spoiler shall no more be his own judge." [1] No satisfaction to either side having been obtained in this way, in June, while the Portugal expedition was still at sea, a special embassy from the Low Countries, the first since 1585, appeared in England with the recent seizures as its principal grievance. Their first interview with the council took place on June 14th and they remained in England holding frequent consultations through the whole summer and autumn of 1589.

The jealous government at the Hague had given to its deputies no powers except to present grievances, so that they could do little more than transmit protests and return the English replies to the home government. There is but little variation in the familiar assertion of the importance of their trade to the Low Countries, and the demand of the English government that Dutch trade must not be fostered by supporting the enemy. These statements were repeated again and again in slightly varying forms. In September however a new and interesting plan was brought forward by the council for regulating the Netherlands traffic with Spain. The germ of this is to be found in a proposition made in June that Dutch trade with Spain should be limited to ships below a certain size. An agreement in three articles was now drawn up for this purpose. The proposal was that not more than forty vessels should go to Spain or Portugal at one time, that not more than ten of them should be over 300 tons, that none of them should be ships of war, or armed beyond the usual requirements of merchant ships, or laden with more food

[1] *State Papers, Foreign, Treaty Papers*, Vol. 34.

than the requirements of their own crews; and that notice of the preparation and organization of the fleet should be sent to the English representative in the Netherlands and to the Netherlands representative in England. Under these circumstances the English government offered to give the fleet a license from the lord admiral and to allow it to pass freely to and fro. September 7 this scheme was shown to the deputies by the judge of the admiralty, but they could do no more than refer it to later settlement at home, and register a mild protest against being put, as they said, under worse conditions than the Danes, Russians, French and Scotch. Nothing more was heard of this project.[1]

Nor were any general results obtained from the sending of this deputation. It is true that the privy council wrote repeatedly to the judge of the admiralty to give prompt and favorable attention to the complaints of their Dutch allies in specific cases before him, and the immediate release of the ships in some doubtful cases was ordered. The queen and council tried to prevent outrages on "our neighbors and friends," as they called the Netherlanders. In March, 1590, the estates sent a letter with the old request that they be allowed to keep up their usual trade with Spain. But there was no general change of policy and seizures continued. In July, 1590, Frobisher and Hawkins seized at sea a number of vessels from Flushing, Middleburg and other Dutch towns and sent them into Plymouth, claiming that they were carrying Spanish goods. It was evidently an aggravated case, for not only did the estates general and the provincial estates of both Holland and Zealand write in protest, but Bodley, the English envoy at the Hague, Wilkes, who was there on a special mission, and Sir Robert Sidney, governor of Flushing, all wrote home urging a more conciliatory attitude on this question. The queen ordered bonds to be taken from the

[1] *Acts of the Privy Council*, xvii, 287; *Cal. Hatfield House MSS.*, iv, 10; *Cotton MSS., Galba* D. iv, 289, *Galba* D. v, 58, 69–70, 97, 101, 110; *State Papers, Dom., Elizabeth*, ccxxv, 10; *Hist. MSS. Commission, Rep.* iii, 263; *State Papers, Foreign, Treaty Papers*, Vol. 34.

ships' captains for the value of any goods that proved to be of Spanish ownership and the ships and cargo then to be released. But it was scarcely a month before four more Zealand boats were brought up to London on a similar claim by Captain Bellingham.[1]

To the estates' letter of 1590, the council sent over a written reply and at the same time sent Wilkes as a special envoy. His negotiations and demands were ill received by the estates, and after four months he returned with mutual dissatisfaction. In 1591 two deputies of the estates were again in England and negotiations with the privy council were again in progress. February 6th, four councillors specially appointed by the queen drew up a paper reiterating the old demands, though with some concessions in regard to grain, in view of the plan for a complete revision of the existing treaties. In June the shrewd Dutch statesmen made a new move by issuing a proclamation forbidding the carrying to the enemy in Dutch vessels of all munitions of war, cordage and cables, and all grain that had been raised in the United Provinces. The queen protested against the last provision, pointing out that it was illusory, as practically no grain was raised in the Netherlands. The grain which the Dutch ships carried to Spain was raised in Germany and Poland, while the food stuffs that were raised in the Netherlands and carried to Spain were not grain but butter and cheese. The queen and council still insisted on their old definition of what was contraband of war.[2]

A year later the dispute again broke out. In July, 1592, Caron, the Dutch resident ambassador, sought a special interview with the queen to present a communication on this and other subjects of dissatisfaction that existed in the Netherlands. The appointment was made for a late hour in the afternoon, when the queen was just about to mount her horse for a nine miles' ride into the country, where she was to spend the night. The ambassador obtained therefore only

[1] *Acts of the Privy Council*, xix, 334, 344–8, 369.
[2] *State Papers, Foreign, Treaty Papers*, Vol. 34.

As a matter of fact the rising republic was becoming populous, rich, enlightened and free on the basis of widely extended and unrestricted commerce. Its prosperity was seriously limited by the attempts of England to hinder its trade with Spain and the south, and the proud burghers could ill brook the high-handed abuses that so often accompanied England's enforcement of her policy. This dilemma continued to control or deeply affect the relations between England and the Netherlands through the remainder of the period of war with Spain, and along with other objects of dispute made the alliance a troubled series of half-suppressed conflicts.[1]

It was, however, in the dispute with the Hanse towns concerning their vessels captured at Cascaes during the Portugal expedition that the whole matter of contraband was given its greatest prominence and its clearest definition. It will be remembered that a special warning not to send prohibited goods to Spain or Portugal had been given by the privy council to the Hanse towns in November, 1588. Notice of their violation of the warning was sent to the English commanders at sea in May, 1589, and the Red Cock, the Peter of Lübeck, the Red Hart of Hamburg, the Jonas of Dantzig, the Rose of Stralsund, the David of Greifswald, the "Angell Gabriel" of Lübeck, and some sixty or seventy other ships sailed into the jaws of the English fleet lying off Lisbon harbor in the early days of June. They had sought to escape capture by taking the long and dangerous route to the north and west of Scotland and Ireland, much the same course as the Spanish Armada had so unwillingly followed less than a year before. They had offered an Englishman forty pounds to go with them as pilot, "a-seaborde of Ireland," but he had refused. News of this new device reached England, and the presence of the fleet on the Portuguese coast made the plan ineffective. The German vessels were found by Norris and Drake to be laden with wheat, rye and other grain, rope, masts, copper, wax and other ship-

[1] *Hague Archives, MSS.*, quoted in Motley, *United Netherlands*, iii, 175 n.–176 n.

stores, all judged by the English commanders liable by their instructions to seizure as contraband. They were all therefore, except ten or eleven, which escaped into the harbor, filled with prize crews and sent to England, where they arrived in Plymouth, Portsmouth, Southampton, Deptford and other ports in the last days of June.[1]

The vessels of the fleet proved to have come from Königsberg, Dantzig, Stralsund, Rostock, Stettin, Wismar, Lübeck and Hamburg. Protests against the seizure poured in from the governments of most of these cities separately, and from the alderman of the Steelyard acting for the whole confederation. The latter wrote promptly to the council asking what they intended to do about the captured ships and their cargoes. The council answered him on the 13th of July stating that commissioners, including some men learned in the civil law, had been appointed to look into the matter, and that all justice would be done, though the ships had obviously been giving aid to the king of Spain against England and they and their contents were undoubtedly subject to confiscation. In the meantime goods which would suffer by delay could be sold and the proprietors and alderman might if they wished be present at the sale by the English commissioners. Part of the money might be used for the sustenance of the German mariners. On the 27th of July the council issued from the court at Nonesuch a formal "order and decree" for the forfeiture of the goods. It recited the warning given to the German cities in the previous November, the disregard of it by their merchants and the circumstances of the capture of the ships; and asserted the justification of the seizure by the law of nations and by the breach by the Hansards of the old treaties by which they held their privileges in England. It declared, however, that although the ships and all their cargoes might be justly confiscated, the queen nevertheless intended only to take the munitions of war and victuals contained in them, leaving the vessels themselves with all their

[1] *Supra*, p. 180; *Newsletter*, Nov. 29, 1588, *State Papers, Foreign, Newsletters*, 1584–1622.

other commodities to their owners. Finally it listed the articles which then and in future should be subject to confiscation if taken by a neutral into the dominions of any of England's enemies. This list as being the earliest known authoritative statement of what goods are to be considered contraband is worthy of insertion in the form in which it was appended to the decree. "A note of such things as are thought good to be stayed.

Munityon

Cables,	Pitch,	Callyvers,	Powder,	Leade,
Masts,	Tarre,	Muskettes,	Brimston,	Matche.
Anchors,	Tallow,	Armour,	Saltpeter,	
Cordage,	Pitchstones,		Bulletts,	
			Copper,	

Ordynaunce not belonginge to the shipps, canvas and Danske Poldavyes.

Victual

Bacon,	Rye,	Beanes,
Corne,	Barley,	Peason, and
Wheate,	Meale,	such lyke."

In answer to further protests from the Hanse towns, instructions were sent out on the 8th of August to divide all captured goods into three classes, first, contraband goods such as those described above, second, "mere merchandise," not useful for purposes of war, third, goods belonging to subjects of the king of Spain. The first and third were to be confiscated, the second left to its owners or sold in England for their profit as they preferred. Thereupon the vessels and their crews should be released with passports and enough money or victuals for their crews to take them with a fair wind to the harbor from which they originally came.[1]

Feeling among the ship-masters and in the Hanse towns ran high. Many of the masters in the first place refused to

[1] *Acts of the Privy Council*, xvii, 380, xviii, 29–33; *State Papers, Dom., Elizabeth*, ccxxv, 24, 25, 43, 44, *Cotton MSS., Nero* B, ix, 155–9.

receive back their ships on these terms, and in September a rumor reached England that at the approaching diet of the Hanse to be held at Lübeck violent means of revenge against England were to be arranged. The queen's response to this threat was an order to stay all Hanse ships of one hundred tons or over not yet liberated. Nothing was done however by way of retaliation and by the end of September the ships were one by one being discharged as their cargoes were disposed of and as they conformed to the requirements of the queen's original proclamation.[1]

Difficulties about stowage room in the warehouses of port-towns, the sale of damaged goods, and pilfering of the goods from the holds of the boats or the wharves gave continual trouble to the government in the process of getting the greatest profit possible from its confiscated property. The settlement of the question of principle with the owners of the ships was still more difficult, and the state papers of the period are burdened with correspondence, discussion, reports, lists of precedents and drafts of proclamations on the subject. The councillors and even the queen were apparently sensitive to foreign judgments of their actions in this respect, as they were in the case of the religious persecutions. One of the longest of the proclamations is declared to be issued "for the satisfaction of such as are capable of reason and void of malyce," and copies were sent to various governments. The best statement of the case however is in a printed pamphlet, doubtless by the master hand of Burghley, issued by the queen's printers in an English and a Latin form, and entered in the stationers' register by direction of Secretary Walsingham, August 4, 1589. It is called "A Declaration of the Causes which moved the chief commanders of the Navie of her most excellent majesty the queen of England in their expedition for Portugal to take and arrest in the mouth of the River of Lisbon certain Shippes of Corne and other provision of warre bound for the said cities." It was addressed to the emperor and princes of Germany and all the rulers and estates of Europe, and from

[1] *Acts of the Privy Council*, xviii, 111–113, 159–60, 259, 432.

its date and form was evidently intended to forestall the public complaints of the Hanse merchants and cities, to justify English action and incidentally to appeal to Europe against what its author saw fit to describe as the aggressions of Spain. It was evidently a bid for the good opinion of Europe and places international law in this aspect on a much firmer and clearer basis that it had ever been before.[1] To the Hanse towns especially the English government lost no opportunity of bringing their policy home. In April, 1590, when Sir Jerome Horsey was going through Hamburg on a mission to the Russian government he sent his man to put up on the door of the town hall a proclamation of the queen in Latin and German against any trade through the Narrow Seas into Spain in the goods recently prohibited. On passing through Lübeck he delivered a copy of the same notice to the Burgomaster, "who hufft thereat, saienge they would pass with their shippinge in spight of the Queen of England's power. But they paid for it." Two years later, January 25, 1592, an additional list of contraband goods, including iron and steel, all sorts of weapons, many kinds of lumber, flax, tar, hemp and rosin was drawn up by the privy council and handed to Heyman Thurlaham, alderman of the Steelyard, to be transmitted to the various Hanse towns.[2]

To make good this interpretation of the rights of belligerents against neutrals was however a much harder problem than to state it. A right of freedom of traffic quite as broad as the English doctrine of the right of seizure of contraband was constantly asserted by the neutral powers. February 15, 1589, the "Consuls and Senate of the Free and Imperial City of Lübeck," ignoring the English warning of the previous November, in a letter of sonorous Latin and fine bold handwriting, protest against the recent seizure of a vessel belonging

[1] *Cotton MSS., Nero* B, iii, 286–293; *Lansdowne MSS.*, civ, 68–73; *A Declaration of the Causes, etc.;* Cheyney, *International Law under Queen Elisabeth, Eng. Hist. Rev.*, xx, 667–670.

[2] *Travels of Sir Jerome Horsey*, Camden Soc., 238; *Acts of the Privy Council*, xxii, 183, 191.

to one of their merchants and its detention at London. They declare that traffic by merchants ought by the law of nations to be free and unimpeded, that they can conceive of no right by which an English captain should have troubled their citizens in the journey which they had undertaken, and that they have nothing whatever to do with the war which the queen is carrying on against the king of Spain. They urgently require therefore the release of the ship without loss or injury, and that it should be granted the free and accustomed privilege of navigation and trade at all places and times whatsoever.[1] These two principles were irreconcilable, and the attempt of England to enforce her doctrine not only continued to embroil her with France, the Netherlands and the Hanse towns, but with Denmark, Sweden and Poland at one end of Europe and with the Italian cities and principalities at the other.

[1] *Cotton MSS., Nero* B, ix, 154.

CHAPTER XXIII

PIRACY

WHETHER adventurers with letters of reprisal, privateers in search of vessels and property belonging to subjects of the king of Spain, or captains in the queen's service seizing contraband, all the ship-masters who have been so far described had commissions from the queen or from the admiral. They might come ashore anywhere in England or abroad and openly plead the authority of the queen for what they had done. There were vessels on the seas, however, fitted out in English ports, owned by Englishmen and commanded by English masters, who had no commissions of any kind, and yet which preyed upon shipping. These were pirates, not only in the eyes of foreigners, but in the eyes of the English government and in their own. It is sometimes difficult to draw a hard and fast line between piracy and legal seizure; but the most obvious, usual and defensible distinction between a commander of a ship who is not and one who is a pirate is that the former has an official commission from some government while the latter has none. The former may justify his actions before a court, the latter cannot.

Such piracy was no new thing in these latter days of Elizabeth, nor was it destined to pass away with her reign and the conflicts on the sea that were so characteristic of it. But probably there was no period during the sixteenth century when it was worse than in its last quarter. Outside the entrances of the harbors, on the open waters between England and the continent, on the North Sea, in the Channel and the Bay of Biscay, off the coast of Ireland, in the Baltic and the Mediterranean, on the high seas and in the East and West

Indies, wherever lines of commerce extended, English pirates were found and committed their depredations upon fellow-countrymen and foreigners alike. It is a common complaint that "many piracies, spoiles and robberies are now dailie committed by great numbers of pirates upon the seas next adjoining the coasts of this realm"; we hear of "two tureble pirats, that dothe ly of and on Sylly and so far as to the Severn and to Mylford Haven and the coast of Ireland, — that is lytel Quien and Bacon." A man from Poole writes to Lord Burghley that Brocksie Castle is a support for pirates who disturb the commerce of the town and prevent strangers from coming there to trade. Along with the settlement of the question of contraband the Dutch resident begs in 1588 for some prevention of the insolencies of the English pirates, promising that the like will be done by the estates concerning their pirates. Some time later he complains bitterly that English pirates are making a practice of throwing overboard both passengers and sailors of captured ships, and then sailing away with vessels and goods.[1]

A few concrete instances may serve to typify the vast number of spoliations large and small continually being made by pirates on legitimate commerce. Margaret Johnson, widow of a Rotterdam master of a flyboat "wherewith he went to the North Seas a fishing," complains in 1588 that her husband had been robbed, murdered and despoiled of his boat by English pirates some nine months before. She had come to England, recognized the little vessel in the Thames where it had been sold to new owners by its captors, and now petitions the council to see that justice is done to her. The captain of the Jane of Plymouth complains that the Raven and the Green Dragon of Bristol caught up with her at sea and rifled her of the best of her goods. While the queen and her ministers were apprehending the approach of the Armada in the early months of 1588 they had also to hear of the ill doings of the pirates Diggory Piper, Captain Bracebridge, Captain Roche,

[1] *State Papers, Dom., Elizabeth*, clxi, 20, ccxxxix, 92; *Cal. State Papers, Dom.*, 1595–7, 217, 1598–1601, 75; *Lansdowne MSS.*, lviii, 198.

Thomas Fleming, William Pitt, Lee, Smith and Strangways. The pirates were sometimes of astonishing boldness. Some pirates swooped down on the earl of Worcester when he was on his way to France, January, 1575, to represent the queen at the christening of the king's daughter, seized much of his baggage, which included the presents for the young princess, and killed three or four of his men. A few years later a man named Avery Phillips learned that some money was being sent by the queen to the Prince of Orange in a certain vessel sailing from Tower Wharf. He arranged with some companions to take passage in the same vessel and when she had reached the open sea to overpower the sailors and seize the treasure. He obtained also a promise from the Spanish ambassador of further reward if he kept the treasure from reaching the Prince of Orange. The plot was betrayed and he was arrested. He succeeded, however, in persuading Burghley that the charge was a piece of malice on the part of his enemies and lived to boast of the plan among his boon-companions long afterward.[1]

John Johnson, the man who gave this information to Lord Burghley, seems to have been a sort of spy on pirates and in 1581 came near to losing his life in the pursuit of his trade. He was commissioned by certain English and French merchants to seek their stolen goods. In conversation with some sailors at Portsmouth he obtained the necessary clue. A Captain Gisborne who had been the offender was now lying at Cowes with the goods in a ship over which he had been placed by a Dutchman who had captured it from a Frenchman. The French owner of the ship just at this time appeared, and through the lieutenant of the Isle of Wight arranged with two intermediaries, one Jollet, a fitter out of pirates, the other, Bord, himself a pirate, to secure the return of his ship. The plan was carried out. Gisborne

[1] *Cotton MSS., Galba* D. iii, 91b; *State Papers, Dom., Elizabeth*, ccix, 130; *Acts of the Privy Council*, xvi, 12, 14, 117, 149, 223, 236, 254, 295, 324; John Johnson to Burghley, Feb. 22, 1579–80, *Lansdowne MSS.*, xxxiii, 189; Stow, *Chronicle* (ed. 1615), 673.

was betrayed, arrested and disappears from the scene. His sailors were set ashore to shift for themselves, and his ship returned to its French owner, who paid £52 charges, which were divided between Jollet and Bord, the two intermediaries. The goods which were in the ship, however, which Johnson was interested in following up, were seized by Bord, taken away and sold, so that Johnson's mission for their recovery remained still unfulfilled. Bord soon came back with a vessel which he had probably obtained by the sale of the stolen goods, and was victualled by Jollet for a new voyage. As soon as he went out of the harbor he captured a small French ship, one of his men named Pierce stabbing four Frenchmen to death in the fray. He came back again to harbor, fitted out his capture as an armed pinnace and put Pierce in command. He in turn soon made booty of a Spanish vessel and brought it to St. Helen's point. This vessel also was equipped as a "man of war" and placed under a kinsman of Bord named Haynes. The pirates had therefore a fleet of three vessels, one under Bord with sixty-eight men, another under Pierce with fourteen men, and a third under Haynes with thirty-six men; and their plans included the capture of two French ships lying at anchor at St. Helen's point. They were on good terms with Sir Edward Horsey, lieutenant of the Isle of Wight, and the people of the island, and there was free coming and going between the people on the shore and on the ships. Johnson himself went on Bord's ship with the rest, but as he was about to go ashore again was denounced as a spy and brought back. With a curious travesty of justice Bord appointed a jury of twelve men from those present "to go upon Johnson," but their verdict being somewhat confused, Bord ordered him strung up on the yard-arm in a sort of sling to be "hung or shot at." This order was in process of being carried out when some of Sir Edward Horsey's men and others intervened to secure his release on an implied promise that he would disclose nothing he had seen. He gave immediate information to Burghley of his experiences and

observations, but no later scenes of the drama have come down to us.[1]

The connivance of men in positions of authority, influence or wealth suggested by chance narratives such as this was one of the constant complications of the problem of piracy. The vice-admirals of the seaboard counties, one of whose principal reasons for existence was that piracy might be checked, were not infrequently themselves in league with the pirates. Edmund Bocking, vice-admiral of Essex, who had a special commission for punishing pirates, was himself indicted for piracy. Many such charges were doubtless made which were matters of suspicion only and could not be proved. For instance, of sixteen complaints of piracy brought to the queen by the Danish government between 1579 and 1589 five are directed against officials of the government, who are charged with protecting various pirates. Among those so charged were Ralegh, Winter, Cumberland, Seymour and the lord admiral himself. Although they were never declared responsible in England for these actions, it is noticeable that the commissions appointed by the privy council to consider these complaints do not include any of those named. In many cases, however, the suspicion rises almost to certainty. In 1585 Sir Walter Leveson, vice-admiral of North Wales, was forced to pay £2300 reimbursement for the seizure of a Danish ship in Norway by a certain John Meyer, whom he had fitted out for the seas. The next year Meyer brought another vessel into the Isle of Wight, and two other servants and kinsmen of Leveson, victualled and sent to sea by him, captured three Dutch vessels. Sir Walter instead of assisting in the punishment of these men bailed them out when they were arrested and entertained them at his house.

There were similar stories about Sir John Killigrew, captain of the castle of Pendennis, in Cornwall. In January, 1582, two Spanish ships were lying wind-bound at Falmouth. Several days after their arrival the ships were suddenly seized at midnight by some servants of Killigrew, and when a certain

[1] John Johnson to Burghley, June 5, 1581, *Lansdowne MSS.*, xxxiii, 183–6.

Captain Hammond, charged with being the perpetrator of this or a similar offence, was being brought across the country for trial, a nephew of Sir John Killigrew offered £40 to his captors to allow him to escape, and five of Killigrew's men accompanied the guards all the way, the report in the country-side being that they were planning a rescue. Early in 1588 a Dane complained that his ships had been spoiled by a ship's captain supported and protected by Killigrew. This time the council feels compelled to take action but finds it difficult. The report is that Killigrew wanders up and down the county of Cornwall with his followers and "will not let himself be arrested"; he is therefore outlawed and the sheriffs of three counties successively are ordered to apprehend him and bring him before the privy council; even yet however he eludes arrest and apparently escapes punishment. This sympathy with pirates must have extended to their neighbors generally, for in 1564 a jury of twelve men in Cornwall acquitted a notorious pirate and were ordered to London for trial before star chamber for the offence.[1]

It was not only those who helped set forth the ships or were interested in the pirates as kinsmen who made their punishment difficult, but those who bought their ill-gotten goods. These were doubtless bought at an inordinately cheap price and the merchants who made such dubious bargains were interested not only in the particular transaction but in the continuance of the business and the immunity of the perpetrators. The same Danish merchant who complained of the protection given to pirates by Killigrew, declared that Diggory Piper was encouraged in his spoliation by a certain Josiah Calmody, a merchant who regularly bought his goods. We have a contemporary description of the gentlemen, farmers and townsmen on the Isle of Wight repeatedly visiting a pirate's vessel at St. Helen's point, so that the buying and selling on the deck looked like a fair. A large cargo of fine

[1] *State Papers, Dom., Elizabeth*, cxxxiii, 8, cliii, 5, 20, cci, 49; *Cotton MSS., Nero* B, iii, 232, 294–5, 296–8; *Acts of the Privy Council*, xvi, 13, 351, 369, 115, 136, 350, 452.

linen and woollen cloth brought in by the pirates, to the value of £1400, was disposed of in two days, and they were provided at the same time with all the necessaries for their next voyage.

A characteristic instance occurred in June, 1578. Clarke, the well known pirate, had seized in the North Sea a Dutch vessel loaded with rye, clapboards and other goods and brought her to the coast at Cocket Island. The mariners paid Clarke sixty pounds for the ransom of their ship, but he was anxious to profit from the cargo. He sent therefore for a certain Randall, a merchant of London, who was then at Newcastle, telling him, as Randall averred, that he was tired of his life as a pirate and wanted to arrange with him to obtain a pardon from the queen. However, he met Clarke on shore and agreed with him to purchase the cargo from the sailors on the ship. When the Dutch mariners demurred on the ground that the cargo did not belong to them but to merchants at home, Randall, they testified, put a dagger to their breasts and made them sell. The goods were thereupon unloaded and shipped away at the order of the London merchant.[1]

In such cases the most promising method by which the person despoiled could obtain reimbursement for his losses was to discover the purchasers of the stolen goods and claim their return. The failure of pirates to find purchasers for their stolen goods would be of public advantage since it would lessen the attractions of piracy. Proclamation after proclamation was therefore directed against dealing with pirates, and the privy council and admiralty were always ready to grant the letters of assistance that have already been described in connection with the work of the admiralty court.[2] The person who complained that he had suffered losses by piracy was given letters addressed to sheriffs, town officers, vice-admirals and others requiring them to give him assistance in the discovery and recovery of his goods from the pirates themselves or those who had bought them from them. Scores of such letters are spread on the records of the council.

[1] *Acts of the Privy Council*, xvi, 12–13; *Lansdowne MSS.*, xxvi, 70–72, xxxiii, 184.

[2] *Supra*, p. 120.

Sometimes the search for pirates' goods was undertaken by those who had no interest in them except the profits that might be made from the fines of the offenders or from composition with the original owner. It was a period of keen watchfulness for irregular ways of making gain, especially by courtiers, and this method, as has been already pointed out, did not long remain undiscovered. In 1588 two of the gentlemen pensioners and two other courtiers obtained a grant from the queen and a commission from the court of the admiralty to search for goods purchased from pirates and for the apprehension of all such pirates and their abettors. All commissioners of piracy, vice-admirals, sheriffs and other officials were ordered to give them assistance. It does not appear what reward was to be obtained by these enterprising adventurers, but doubtless they would receive a share of the value of the discovered goods, as in the case of pirates' goods captured at sea. Nor have we the records of the results of their efforts. But fines of not inconsiderable amount were frequently collected from buyers of pirates' goods. There are some lists of fines imposed or money received in March, 1590, in the search for concealed pirates' goods. One entry shows £389 paid by sixteen persons in Yorkshire; in another list headed "From Bridlington to the northwards within the county of York," fines were collected altogether amounting to £130 from fifty-one persons, for lodging pirates, for receiving pirates' goods, for "being suspected" and other somewhat indefinite offences. Still another account, endorsed "Buyers of Pirates' Goods fined by the lords of the Council," names 110 persons in twelve counties who were fined, usually small sums, ranging from three to twenty-five pounds, the total sum being £1464. In April, 1588, the officers of Dorsetshire seized for the exchequer 2250 pounds' weight of cochineal brought in by a man who had been convicted of dealing with pirates.[1]

A serious difficulty in questions of piracy was the com-

[1] *Acts of the Privy Council*, xvi, 385–6; *Lansdowne MSS.*, cxlv, 33; *Additional MSS.*, Vol. 12,505, fo. 352; *Cal. State Papers, Dom.*, 1581–90, 588.

parative uselessness of the ordinary criminal courts. The common law was not suited to the decision of any kind of cases arising at sea. An ordinary jury sworn in to indict offenders in a particular county was very likely to say that an offence of piracy did not take place in their county, and that they therefore had nothing to do with it. Since an early period therefore there had been little attempt to bring pirates before the regular criminal courts for trial. The most natural plan was to use the admiralty court for this purpose, transforming it into a criminal court by the addition of a jury. A list exists of 960 persons indicted in the admiralty courts for piracy between 1568 and 1600. There is no means of finding how many of these were convicted, and there is reason to believe that there were many failures of justice or instances of pardon. The same man was repeatedly before the court, many of those indicted were gentlemen and many of the same names are subsequently found in lists of officers of the queen's navy or among those engaged in trading and exploring expeditions. Many also were probably obscure mariners who after indictment were discharged. There was also great irregularity. In some years none were indicted, or a very few, other years give indication of special activity, as in 1582, when 71 were indicted, 1586, when there were 60, and 1590, when there were 90. The lack of special qualification of such a court is suggested by the fact that indictments for forestalling the market of fish and for begging with a counterfeit seal of the admiralty are entered along with those for piracy. We get a glimpse of a disorderly nobleman, Viscount Bindon, entering the admiralty court while it was in session, standing between the judge, jury and prisoners, refusing to sit when the judge ordered him to, calling one of the plaintiffs a knave and telling the jury that some of the culprits were as honest men as themselves.

There were, however, besides the court of admiralty, special courts. In 1536 parliament provided for tribunals for the trial of pirates consisting of commissioners appointed by the king, and following a special procedure, including a jury.

The construction of such a special court was the usual procedure in each case of the trial of a pirate. Even executions usually took place outside of city or similar liberties, such as those of offenders tried at London, which were carried out at Wapping outside of the city.[1]

Lack of effort to prevent or punish piracy cannot justly be charged against Elizabeth's government. One of the very earliest public actions of her reign, December 21, 1558, only a month after her accession was the issue of a proclamation "To restraine piracies and robbery on the seas." A similar proclamation was issued July 21, 1561, in which she declares that she has already inflicted death on certain pirates and has sent armed vessels to sea to put them down. Others were issued successively in 1563, 1564, 1567, 1568, 1569, 1571 and subsequently. These proclamations were however only in general terms, and from such outlaws the queen could hardly have expected obedience to an announcement that "The Queenes Majesty doth strayghtly charge and commande al the Sea Rovers, commonly called Frebutters, of what nation or country soever they be, to depart and avoyde all her hyghness Portes, Rodes and Townes with all speede." [2]

More vigorous but apparently not for any length of time more effective measures were the special cruises occasionally made by the queen's fleets "to clear the seas of pirates"; such as that referred to in the proclamation of 1561. In 1573 after the earl of Worcester had had his ships pillaged and his men killed at sea by pirates the queen sent out the Swallow with three other vessels and 360 men, under the controller of the navy, William Holstock. They sailed from North Foreland to Falmouth, capturing twenty ships, English French and Flemish, suspected of piracy, sent them into various harbors on the south coast and their 900 men into the

[1] Marsden, *Hist. of Prize Law, Eng. Hist. Rev.*, xxiv, 679, 684; *Lansdowne MSS.*, liv, 190, cliv, 78–96; 27 Henry VIII, c. 4, 28 Henry VIII, c. 15, *Statutes of the Realm*, iii, 533, 671.

[2] *Dyson's Proclamations*, 2, 37, 75 105, 115, 131, 138; *Cal. Hatfield House MSS.*, i, 286.

sea-port towns. They set free also fifteen merchant ships which had been captured by pirates. But even after this the only executions we hear of are of the three men who actually committed the murder on Worcester's ship. In 1576 Holstock was again sent out, this time with six vessels and 1000 men, victualled for six weeks. They captured eight ships manned by 220 seamen, mostly from Flushing. In 1578 there was still another fleet out, and as a result of its efforts seven pirates were hung. In June, 1582, William Borough was sent out with a little fleet of two vessels and for a while it was believed that he had been overwhelmed by a group of pirate ships, but by a lucky chance he captured the whole lot, including seven vessels and ten well-known pirate leaders, all of whom were brought up to London and hung.[1]

Fleets were sent out repeatedly during the next decade; but fleets were too cumbrous weapons to be successfully used against the elusive and often small and obscure pirate ships which caused most of the harm, at least on the coast of England. A type of piracy which was quite immune from attacks on a large scale and yet which was only too familiar can be seen in the case of a small vessel, captured in 1593, no one knew where, by a group of eleven men, and brought to Hambell Ferry near Portsmouth for equipment and supplies. She took her station in Langstone Haven to watch for the departure of a certain French grain ship from Chichester, or in default of this to seize such goods as should be brought by water from Chichester to Brading May-day fair. These men were as a matter of fact captured by stratagem. They made a habit of coming ashore at night to steal lambs and poultry. The deputy lieutenant of the Isle of Wight organized the country people, succeeded in capturing three of the freebooters, then three more who came ashore to rescue their companions, and finally captured the vessel and the remainder of the crew by sending out a boat that caught them between the open sea and Easterly point. Here they were driven

[1] Stow, *Chronicle* (ed. 1615), 674, 680, 684, 697; *State Papers, Dom., Elizabeth*, cviii, 23; Marsden, *Hist. of Prize Law, Eng. Hist. Rev.*, xxiv, 687.

ashore, arrested and forced to confess their plans. Such petty lawless adventurers troubled the coast, the coast trade and small foreign vessels as much as the more ambitious pirates with larger vessels did the traffic of the more open seas. In 1577 an attempt was made to clear them away, at least from the southern parts of England, by using the restless mariners of the Cinque Ports. In May, the queen sent from Greenwich a commission to Lord Cobham, warden of the Cinque Ports, ordering him to grant during the next five months to such corporate towns and individuals as he should think best licenses to send out armed ships for the capture of the pirates who were making the trade and fishing in the narrow seas unsafe. They were to act under rigid restrictions, but in recompense for their efforts were to receive a liberal share of the value of the ships and goods of such pirates as they should capture. This became a frequent practice on other parts of the coast also, and special commissions for sending out one or more private vessels against pirates, to be reimbursed by a share of their goods, became familiar.[1] This issue of commissions to capture pirates was entrusted along with other duties to certain persons who were also appointed to indict and try them when captured. These groups of men appointed from time to time in various places were known as commissioners of piracy. An early instance of this practice is found in the issue in 1565 of certain "Articles concerning pirates," the enforcement of which was entrusted to commissioners. In 1569 commissioners were appointed in all the counties.

From about 1576 onward a more determined effort was made to meet the problem of piracy. In that year, as has been said, a large fleet was sent out to clear the seas of pirates; some time before July 8, 1576, the government issued commissions to certain men in the various maritime counties enabling them to authorize proper persons to go out individu-

[1] Earl of Sussex to Burghley, May 2, 1593, *Lansdowne MSS.*, lxxiv, 194; The Queen to Cobham, May 24, 1577, *Additional MSS.*, Vol. 34,150, fos. 61, 64; *Court of Admiralty, Letters of Mark, Bonds, etc.*, Bundle i.

ally and apprehend any pirate vessels that had been heard of on the coasts. The council evidently dreaded the grant of such licenses, for fear they would according to the old proverb, "send a thief to catch a thief," and simply create a new group of pirates. They surrounded the permission therefore with many restrictions, and required bonds for good behavior. Holders of such licenses must not remain at sea more than just long enough to apprehend the special pirates of which they were in search, the maximum time being two months, and they must not go beyond a certain stretch of the coast prescribed in each case. They must also bring their captures into the nearest port and hand over ship, cargo and prisoners to the commissioners or to the vice-admiral. July 8, 1576, these commissions were followed up by letters of instruction to the commissioners warning them again not to authorize any armed vessels to go out for general purposes, but only to clear the coasts of well-known "rovers and pirates." [1]

In 1578 a royal fleet was again sent to sea to secure order. Some two years afterward, complaints both from English and foreign merchants still coming in, new commissions were issued. Those appointed on the commissions were ordered to assemble from time to time and to undertake a thorough inquisition for pirates and their abettors. They were ordered to organize what amounted to grand juries. The merchants and other unsuspected persons whom they were to put on their oath must give answers to a long series of questions directed to the ascertainment of what ships rigged as war vessels had sailed during the last five years from their respective harbors, with or without letters of reprisal or other authority from the admiral; who were their owners and captains; what prizes they had taken, and especially who had bought their captured cargoes. These juries were also to tell whether they had heard of any other pirates on the coast, English or foreign, and to give the names of any ship-masters, mariners or others who had been publicly suspected of aid-

[1] *Lansdowne MSS.*, viii, 72; *State Papers, Dom., Elizabeth*, cxxxv, 688, clxi, 20; Marsden, *Hist. of Prize Law, Eng. Hist. Rev.*, xxiv, 686.

ing them or giving them succor. If through these accusing bodies persons suspected of piracy or of the aiding of pirates were found, the commissioners were to proceed to swear in a trial jury of twelve men and try all persons charged with piracy or the abetting of it. The commissioners were promised payment of their expenses from the forfeitures and fines of the pirates.[1]

In July, 1579, the queen expressed her disappointment that former measures had not been sufficient to prevent spoiling and piracies, and that complaints still reached her from her own subjects and those of rulers in amity with her, and ordered the privy council to devise further plans for meeting the difficulty. All commissions of piracy were thereupon renewed and the council sent with them more strict instructions than ever before. No vessels were to be allowed to go to sea except those of well known merchants or fishermen, except such as had special license from the queen or six members of the privy council to go to sea in the queen's service, or to "discover some new trade"; and these licenses were to be issued only when bonds to a substantial sum for good behavior while the ships were away had been deposited in the court of admiralty. The vice-admirals and commissioners of piracy were required to put the officers of all port towns, and the owners of land where creeks or havens ran to the sea outside of towns under bonds not to allow any unauthorized men to go to sea. Even ordinary merchant ships were required to have letters from the admiralty, their town officers and the customs officers testifying to what country and for what purpose they were set forth. The commissioners must meet at least once every two months somewhere near one of the principal havens of their county to carry out the duties of their commission, and report to the privy council each time what they had done. They were to be paid the same amounts as justices of peace were paid at quarter-sessions. These instructions were badly carried out, as generally happened in the drastic requirements of a govern-

[1] *State Papers, Dom., Elizabeth*, clxi, 20.

ment which had no sufficient body of its own officials to see to the enforcement of the rules it made.

The usual complaints of piracies were soon after this time reinforced by the arrival of a special ambassador from France to report frequent English piracies on the French coast and to propose plans for common efforts for their prevention. December 16th, 1582, the queen issued a new proclamation, already referred to, suspending local admiralty jurisdictions, which had been found to stand in the way of the enforcement of the rules sent to the admiralty commissioners. The next year, 1583, in the early summer, William Borough and Benjamin Gonson, two of the queen's captains, were sent to sea with the Talbot and the Union with orders to range along the coast for the seizure and suppression of pirates, and to remain out till the whole coast was clear. The record of the six years, from 1577 to 1583, is unsurpassed in the variety and vigor of efforts made against pirates as compared with any other period of Elizabeth's reign, but there is little indication that these efforts had any great effect. Certainly there was no cessation of complaints.[1]

It will be observed that there were two parallel lines of treatment of the problem of piracy; one its control or punishment through the regular action of the admiralty, the other the effort to prevent or punish it through special commissions of various kinds. Sir Julius Cæsar, who became judge of the admiralty in 1584, was very naturally an advocate of the greater use of the first means. October 22nd he wrote to Walsingham suggesting that all cases of piracy be dealt with by the lord high admiral or his deputy, the judge of the admiralty, and that his powers be amplified accordingly. But it was neither in confirmity with the tendency of the time nor with prospects of success that special measures should be foregone. In 1587 the two methods of action, through commissions and through the admiralty, were combined. October 17th of that year a general commission of piracy for the

[1] *State Papers, Dom., Elizabeth*, clxi, 20; *Cal. State Papers, Dom.*, 1581–90, 78.

whole realm was appointed, in which the admiralty officials were the most prominent members. The commission consisted of twenty-three men, all either government officials or prominent merchants of London. It included the master of the rolls, the judge of the admiralty, one of the masters of requests and the attorney and solicitor general, and although four of the twenty-three might act, one or other of these five legal officials must always be present when any action was taken. They might go anywhere in England and Wales for the purpose of searching out and trying pirates and their abettors, and were required to follow up all complaints brought before them. Trials were to be by a jury of twelve men. Any six of the commissioners might grant licenses to well-known and honest merchants who might be willing to undertake voyages for the capture of pirates, reimbursing themselves from the pirates' goods for their expenditures.[1]

After this time there was always a general commission of piracy in existence, although its form changed from time to time. Five years later there were one hundred and twenty names on the commission. It included several judges and law officers of the crown, a number of prominent noblemen, knights and gentlemen, a group of sea captains, several lawyers serving as deputies of the vice-admirals and the mayors of all the principal seaboard towns. The old commissions in each county still existed but were largely superseded in their powers and activity, if they can be said ever to have been active, by the more extensive body. But the large size of the general commission on piracies, or commission on maritime affairs, as it was also called, likewise precluded it from much activity. A corrective seems to have been found in a plan of action taken by the admiralty authorities supported by a certain number of the general commissioners. December 19, 1589, we find Cæsar recommending a yearly circuit of admiralty officers, his offer to go in person being accompanied with the suggestion that he be made also one of

[1] *Cal. State Papers, Dom.*, 1581–90, 208; *State Papers, Dom., Elizabeth*, clvii, 73–4.

the masters of requests, in order to make his income adequate. Something more than a year afterward this plan was followed out. In the first place a new commission of one hundred and twenty-four men was appointed. Cæsar and some other members of the commission were then ordered to go on a circuit of the seaboard towns, and a letter was given to them July 21, 1591, requiring assistance and obedience from all noblemen, local officials, county piracy commissioners and others in the inquisition, discovery and punishment of pirates and all other offenders of the kind. The offences to be inquired of at their sessions ranged all the way from the departure of ships from harbor without a license, the purchase of goods stolen at sea, and traffic with the Leaguers of France to "treasons, felonies and piracies upon the sea or in rivers, creaks and ports." Cæsar started July 26th, and, beginning at Lewes in Sussex, travelled along the whole southern and southwestern coast during the remainder of July, August and part of September, holding sessions of one or two days each at some twenty seaports in seven counties.[1] Just what was accomplished does not appear, nor has it yet been brought out whether this particular precedent was followed in later years. Certainly, as has been said in another connection, there was no cessation of piracy. The confusion of the period of war was not favorable to good order at sea, the various devices that had been brought into use for meeting the difficulty at best only reduced the amount of spoliation, and bitter complaints of losses through pirates continue through the whole remainder of the reign.

The actual number of pirates executed is hard to find. Certainly the number indicted was small compared with the number of offenders, and the number convicted as small in comparison with those indicted. Some statistics for the first half of Elizabeth's reign exist. These indicate the execution of one hundred and six pirates between 1561 and 1580; the largest numbers in any one year being twenty-eight in 1573

[1] *State Papers, Dom., Elizabeth*, ccxxix, 37; *Lansdowne MSS.*, cxlii, 115, 118; *Additional MSS.*, Vol. 12,505, fos. 317, 318–333, 343.

and fourteen in 1579. Among them are found some names which had long been a terror to the seas, but on the other hand many of the most famous pirates seem never to have been brought to justice. We get a glimpse of eleven men indicted at Southwark in March, 1588, including William Payne and George Thomas, "for spoiling the Jesus of Rye and taking out of her two cases of silk, grogranis, linen cloth, etc.," and others for similar offences, one of them involving murder. They seem to have all confessed or been proven guilty and to have been executed. The usual place for the execution of pirates, as before stated, was at Wapping on the Thames a mile or two below London. April 10, 1573, we hear of seven pirates who had been taken on the North Sea being led from Southwark to Wapping and five of them there hung, the other two being handed their pardons at the gallows foot. In 1578, seven more were hung there. August 10, 1582, as a pirate named Walton was being led to Wapping for execution he tore strips from his breeches of crimson Venetian taffeta and handed them to his friends as keepsakes. The use of a brilliant costume was quite a distinguishing mark of a pirate. Gentlemen at sea dressed gorgeously, as they did on land, but an ordinary sea captain was not supposed to wear finery. Atkinson, who suffered with Walton and eight others at Wapping in 1582, came up from Corfe Castle, where he had been imprisoned, dressed in a murrey velvet doublet with large gold buttons and Venetian velvet breeches with gold lace. Unfortunately for his executioner, however, he gave these garments away to friends before he reached the gallows. Such costumes were doubtless easily acquired as part of the plunder obtained in the ordinary course of their enterprises.[1]

The prevention of piracy and the punishment of pirates was a matter of equal interest to Elizabeth's government and the governments of other countries. It was a European problem. There were Scottish, Danish, Hanse, Netherlands, French and Spanish pirates upon the seas as well as English.

[1] *Lansdowne MSS.*, cxlii, 80–2; *Additional MSS.*, Vol. 12,505, fos. 253–4; Stow, *Chronicle* (ed. 1615), 697.

The English admiralty was able to present to the French government in 1585 a statement of losses by English merchants at the hands of French pirates during the preceding twenty years of £126,677, 9*s*, 6*d*. It was claimed that all this was seized by French pirates as the English vessels trafficked on the shores of France, taken into French harbors and there sold or distributed. A similar list exists for Denmark.[1]

Nor is there any evidence of connivance of the queen or the high officials of government with actual piracy. Such collusion, where it existed, was either in that borderland of seizure which was claimed to be justifiable by England though disputed by other nations, or else chargeable to local officials and certain adventurers more or less under the protection of the government. There can be little doubt that some of the profits that came to Hawkins, Ralegh, Cumberland, Carey, Leveson and many other gentlemen and merchants interested in maritime matters were the profits of piracy. It is true on the other hand that some members of the privy council refused to share in the plunder brought home by Drake, on the ground that it was not legitimate spoils of warfare, but was virtually the results of piracy. It was then as always, men of finer feelings interpreted rights at sea and on the sea coasts, like other rights, strictly, men of coarser fibre stretched the possibilities of their position further.

But it was not piracy in the strict sense of the word that brought England into such continuous dispute with her allies at this time. It was her excessive and somewhat disorderly use of reprisals and her extreme interpretation and harsh application of the right of confiscation of contraband. Scores of English vessels were scouring the Narrow Seas, haunting all the shores of Europe, sailing to attack the coasts, islands or oversea possessions of Spain, departing upon or returning from expeditions of discovery or of search for new trades. Overhauling friend and foe, none too scrupulous in the exercise of their rights, even when they possessed them, and in many cases undisguised pirates, they created a condition on the

[1] *Cotton MSS., Galba* E. vi, 293–4.

sea wellnigh intolerable to all other maritime nations and to the peaceful traders of England itself. Discriminate as carefully as we may between that which was within and that which was without the bounds of legality, it remains true that during this period life and property at sea were subject to constant spoliation, that Englishmen were tempted into ways for which it is hard to find any defence, and that their actions and those of their government were a source of special exasperation to the rest of Europe.

CHAPTER XXIV

THE NAVAL WAR WITH SPAIN 1589–1596

"ENGLISH injury to the shipping of friendly nations was, so to speak, incidental; to that of Spain it was deliberate." Every Spanish or Portuguese vessel captured or destroyed was not only a possible source of profit but an actual weakening of her antagonist. Expedition after expedition was therefore organized with the express object of destroying Spanish shipping and interrupting Spanish commerce. Some of these were private voyages sent out, as already described, under general letters of reprisal or other forms of commission; in others the queen participated in varying degrees, from the adventure of a single ship to expeditions in which all the vessels belonged to the royal navy and in which the commander was regularly in the queen's pay and responsible to her alone. These voyages were often directed not merely against the shipping but against the outlying dominions of Spain, the Canary, Cape Verde and Azores islands and her American possessions, or even against her own coasts. Of the last the Portugal voyage of 1589 was an example, and at least one more such effort was made on a large scale some years later. Nevertheless the most characteristic and in the long run the most effective form of attack made by England upon Spain was on the sea. This had been already begun before the Armada year, and had been marked by the vigorous and destructive operations of Drake in the West Indies and along the Spanish coast in 1585, 1586 and 1587, of Sir John Hawkins in 1586, and of many private adventurers, but the contest was first regularly entered upon and first took large proportions in the year 1589.[1]

[1] Oppenheim, *Naval Tracts of Sir William Monson*, Navy Records Society, i, 121–151; Purchas, *His Pilgrimes* (ed. 1906), xvi, 5–7.

As the scattered vessels of the Portugal expedition were returning across the Bay of Biscay in June of that year they were met and relieved with some fresh victuals by a little fleet of four ships just leaving England. This was an expedition directed to the Azores, under the command of the earl of Cumberland, and having as its principal ship the Victory, one of the largest vessels of the royal navy. The other three ships and the whole equipment of 400 men, ammunition and supplies were provided at the expense of Cumberland and some of his friends. Of all the men who at this time habitually ventured their money in the equipment of privateers, and such investment was as usual then as investment in other speculative operations is now, none was so munificent and so persistent as Cumberland. Some of his ventures were remunerative, many of them the occasion of great loss. Partly through these losses, partly by reckless personal expenditure, before his death he depleted his great fortune to the extent of almost complete exhaustion. At this time, however, he had single vessels almost constantly at sea and nearly if not quite every year organized a more extensive fleet, sometimes with, sometimes without support from the royal navy.[1]

Usually Cumberland did not accompany his ships, but this time he acted as admiral, although relying on the commander of the Victory, Captain Lister, for advice in actual seamanship and naval judgment. Later, when the fleet had reached the Azores, it was joined by several other vessels which had come out under their own captains or been sent out by other men as private ventures. One of these was commanded by Captain John Davis, the famous navigator, who, during the interim between his period of exploration in the Arctic regions and his later service as pilot for Dutch and English expeditions to the east, was scouring the seas between west and east as a privateer. Another, under a Captain Marksbury, was owned and sent out by Sir Walter Ralegh; and still others,

[1] Purchas, *His Pilgrimes*, xvi, 1–106; *Naval Tracts of Sir William Monson*, Navy Records Society, ii, 296.

from Lyme and Weymouth, joined the fleet and left it, under the easy-going rules of consortship of the time, according as plunder seemed probable or unlikely.[1]

The little fleet sailed from Plymouth June 18th and was scarcely out of the Channel when it met and seized three French ships on their way homeward from Newfoundland loaded with fish. They proved to hail from Havre and St. Malo, League towns, and were therefore considered fair prize; as much of their cargo as could well be utilized was transferred to the English ships, two were sent to England as prizes with the rest of the cargo, on the third all the Frenchmen were placed and allowed to sail to their homes. Some Dutch ships met on the same day were allowed, as friends, to go unmolested on their way to Rochelle; but a fleet of eleven Hanse ships, met some time afterward, were fired upon and forced to hand over a quantity of pepper and cinnamon, the property of a Lisbon Jew, which was considered likewise as fair prize, since it belonged to a Spanish subject. These spices, the value of which was something over £400, were divided among the crews of all the ships as an earnest of future plunder.[2]

Six weeks after leaving Plymouth they came in sight of St. Michael, the easternmost of the Azores. Now began three months of adventure that carried the fleet repeatedly from island to island, all the way to Flores, the westernmost of the group; and from Graciosa in the north to St. Mary in the south, a stretch of sea something like a hundred and fifty by two hundred miles. Through these waters they cruised, peering into each harbor to see what shipping it held, dashing in if there was any prospect of being able to cut out the ships, and sailing regretfully away when there was none; scanning the horizon for sails, following up each rumor they heard, keeping the sea until their hogsheads were empty, then wheedling some water from the islanders by tales of friendship with their exiled King Antonio, forcing it from them by the strong hand, or sailing away still thirsty. With futile reck-

[1] Wright, in Hakluyt, *Voyages*, vii, 1, 6, 13.
[2] Hakluyt, vii, 2, 6, 13, 15.

lessness they took the maximum of risks with the minimum of probability of profitable returns. The lack of foresight and deliberation in their operations, as in other expeditions of the time, is almost incredible. Hearing at Flores of the arrival of rich ships at Terceira they sail hurriedly after them, but catching a glimpse of a few smaller craft at Fayal as they pass, stop on their way and spend four days in their capture, while the prizes of Terceira learn of their approach and escape to Spain. Never fully provided at any one time with food or water, they were forced to sail so constantly from island to island in search of them that they could utilize only the intervals of their time and the remnants of their strength to look for the Spaniards.[1]

Their principal object of search was the great Spanish fleet from the West Indies. The well-established practice of the Spanish government was to require all vessels going to or coming from the West Indian Islands, Mexico and South America in any one year to gather in one or at most in two fleets, and to leave Spain on the outward voyage or the Indies on their return all at the same time. The fleet sailed from Seville, or its harbor San Lucar, and was required to return to the same port. It was the vessels of the return fleet, which usually left Havana in the spring, though sometimes later, that were the special booty which the English marauders and war fleets sought; for, in addition to the merchant vessels with full cargoes of West Indian produce, included among them were the treasure ships bringing home the gold and silver bullion, the annual harvest of the American mines. The whole fleet often numbered eighty or a hundred vessels, and the treasure ships among them brought from ten million dollars' worth of the precious metals upward. The total amount of treasure brought from America during the eighteen years of the English naval war, from 1585 to 1603, has been variously estimated at sums from $150,000,000 to $300,000,000.[2]

[1] Hakluyt, vii, 5–21; Oppenheim, *Monson's Naval Tracts*, i, 227–9, 236.

[2] Oppenheim, *Monson's Naval Tracts*, i, 233, ii, 339–40; Hakluyt, vii, 54–5.

Although only one fifth of this bullion belonged to the crown, the whole financial, commercial and military system of Spain was built up on the anticipation of its safe arrival every year, and the widely extended schemes of the Spanish king in Europe were dependent on it. If therefore English fleets or privateers could capture these treasure ships they would not only be enriching themselves, but checking such prosperity as Spain enjoyed and inflicting a disproportionately great loss on the Spanish government. It is one of the curiosities of this whole series of events that England with all her efforts never succeeded in capturing a single one of the Spanish treasure ships. Yet the merchant vessels of the fleets, laden with sugar, hides, cochineal or logwood which she did from time to time capture or destroy, were scarcely less valuable and their loss only less crushing to Spanish commerce and injurious to the Spanish government. The West Indian fleets almost invariably came home by way of the Azores, where supplies could be obtained, refitting carried on and later orders from Spain obtained. There also the Portuguese carracks on their way home from the East Indies often stopped when their course had carried them well to the north or when they needed refitting. There was besides these a certain amount of local shipping, and vessels sailing to and from Spain, chance comers from Brazil and the Rio de la Plata and derelicts of the great fleets were often to be found there. The Islands, as the Azores were usually called in England, were therefore manifestly the most promising hunting grounds where English corsairs seeking the capture of Spanish ships might expect to find their prey.

The actual course of Cumberland's voyage was as follows. On approaching St. Michael August 1st he raised a Spanish flag to disarm suspicion and ran along the coast until at night he was off Ponta Delgada, where he saw three ships and some smaller craft in the harbor. Although one of the ships proved to be a London merchantman sailing under Scotch papers, the other two larger vessels and one smaller one the English secured by the usual device of sending boats

in, taking them by surprise, cutting their hawsers and towing them out of the harbor. The Spanish crews jumped overboard with loud cries and swam ashore, the town was soon in an uproar, the fort sent a few purposeless cannon shot out into the darkness, while the three captures laden with Spanish wine and olive oil remained in the possession of the English. A few days later another little ship with a good cargo of wine and silk was captured in the open sea. Disappointed at learning from some intercepted letters that at least a part of the main West Indian fleet had already been at Terceira and left for Spain the week before, they made their way to Flores, where they obtained food and water, paying for them honestly out of the spices, oil and wine they had recently captured. From here they sailed to the island of Fayal, where in the harbor of Horta they repeated their exploit of Ponta Delgada. Their rowboats, supported by a carvel and the "Sawcie Jacke," the smallest sailing vessel of the fleet, went into the harbor at night and after some fighting towed out six vessels. One of these of 250 tons and with a good lading of sugar, ginger and hides, had just come in from Porto Rico; another with elephants' tusks, cocoa nuts, goat skins and maleguetta pepper was from Guinea; the others had less valuable cargoes. Four of these were provided with prize crews and sent away to England, the others were turned adrift.[1]

After a trip to Terceira to which a report of the arrival of another part of the West Indian fleet had sent them, only to learn that eight vessels had come in and sailed for Spain while they were engaged in the recent captures, they determined to return to Fayal and try a venture on the town itself. Amid some fighting and much flying, negotiation and sending to and fro of flags of truce the town and fort were both captured, the red cross of England run up on the fort, to the great delight of the fleet, and the pleasant town with its gardens, vines, orange and lemon groves occupied for three days and thoroughly ransacked, while the inhabitants all fled. The

[1] Hakluyt, vii, 5–6.

town was then ransomed by a payment of £550, "mostly in church plate," while the fort was destroyed and the fifty-three cannon found there transferred to the English ships.[1] Bad weather kept the fleet in the vicinity of Fayal for the next ten days, and indeed they returned to the town for food, water and an abandoned anchor, this time paying the inhabitants for all they took out of the money recently taken from them. The next week or two were spent in cruising eastward to St. Michael, then west again past Terceira and on to Graciosa, where Cumberland counted surely on obtaining fresh water. But the inhabitants made such a stiff resistance and the surf beat on the shore so heavily everywhere except in the harbor that they got only some butts of wine that the islanders agreed to sell and bring out to them on condition that they should not try to land. An effort to put a party ashore for water on St. Michael had still less result, the inhabitants driving them away and keeping a considerable military force stationed at the only point of landing. Some consolation was received during this period of sailing from island to island by the capture of a St. Malo ship from Newfoundland which had been injured in a storm and was seeking shelter at Graciosa. Her lading of salt fish offered little immediate attraction to thirsty men, so she was sent off as a prize to England.

It was while they were just south of Terceira, driving along in a storm, that they got their first glimpse of a section of the West Indian fleet. It consisted of fifteen sail, and was just disappearing into the harbor of Angra. The fleet of this year had been badly scattered by storms as it crossed the South Atlantic and this was the third section that had reached the Azores. When the storm abated the English fleet sailed up to the haven's mouth, but the Spanish ships had been drawn close to the town, under the protection of the fort, and for all their daring the English recognized the recklessness of an attempt to enter. They tried various devices to draw the West Indiamen out or to find an anchorage for themselves within range of the ships but out of range of the forts, but

[1] Hakluyt, vii, 6–10.

all was in vain. Then they lay for a few days just out of sight of the island, hoping the fleet would make a run for Spain; but a pinnace sent to spy brought back word that the Spaniards seemed to be removing their sails and topmasts, so Cumberland gave them up in disgust.[1]

By this time it was the middle of October, and the need for water was extreme, so when some of the ship's company declared it could be easily obtained at St. Mary, far to the south and east, the fleet sailed to the vicinity of that island. They then sent two of their largest boats with some seventy men toward land to reconnoitre. When the men in the boats, including three of the captains, saw two vessels lying at anchor in the harbor, water was forgotten, and at Captain Lister's urgency a bold dash was made for them among flying bullets and cannon balls from the shore, that killed two men and wounded sixteen. They succeeded nevertheless in capturing and towing out to the Victory one of the ships, which had just arrived from Brazil laden with sugar.[2] This success, however, did not give them water and an attempt to land and take it the next day was beaten off. In the evening therefore they sailed away westward to St. George, whose inhabitants fled from the coast to the hills at their approach, leaving them to forage for themselves. Nevertheless, partly the semi-mutinous attitude of the sailors, who were now anxious to get home, partly difficulties of the weather prevented them from taking in more than a few hogsheads of water here. On the last day of October it was decided by a general vote to send one of their vessels, which was leaking, their last prize and all their sick and wounded men direct to England, while the two remaining ships of the little fleet should sail for home by way of the coast of Spain. This resolution was taken although it was known the wine and water aboard was only sufficient to allow half a daily ration for each man.

[1] Wright, in Hakluyt, vii, 14–15; Linschoten, in Hakluyt, vii, 62–8.

[2] Hakluyt, vii, 15–17; Purchas, *His Pilgrimes*, xvi, 10; *Monson's Tracts*, i, 227.

On the run east they had the best fortune of any part of the voyage, for they captured in rapid succession three Spanish or Portuguese vessels, all well laden with valuable cargoes from the American colonies. The third of these prizes was one of the West Indian fleet they had last seen lying in Angra harbor, which had started for home as soon as Cumberland was well out of the way. She was worth nearly as much as all the previous captures together, so Captain Lister and twenty sailors were put aboard of her as a prize crew, while her officers and most of her men were taken into the Victory.

As each prize was captured through the whole voyage it had been necessary to put some Englishmen into her and press a corresponding number of the foreigners into service in the English fleet, so that by this time the crews had become so largely Spanish, Portuguese and French that even if any more prizes had been captured no crews could have been safely provided for them. Therefore, before the fleet had come actually in sight of the Spanish coast, its course was turned northward directly for England. At first all went well and the sailors began to think and talk of how they would spend their prize-money at home during Christmastide. But about the middle of November the wind came around easterly, the fleet was separated, and the Victory, which now contained most of the original company from the whole fleet, was driven far to the leeward and northward. For three weeks they drifted at the mercy of adverse winds and repeated storms. It will be remembered that they had left the Azores with only half the drink sufficient for what was practically a direct voyage to England. The sufferings of these additional weeks can therefore easily be imagined. In any later century they would have been directly in the main track of commerce between Europe and America; in the sixteenth they were sailing in almost untenanted seas, so they met no ships, friendly or unfriendly. The allowance of drink was cut down until there was neither water nor wine left, and men died of thirst, the only relief being the salt spray-

filled rains they could occasionally catch on the deck. The chronicler of the voyage, the mathematician Edward Wright, who had been captain of the Margaret until he was taken into the Victory when his vessel was sent home, has left a vivid and pathetic record of their experiences, as redolent of the sea as is The Tempest. More men died than in all the earlier part of the voyage. Driven far to the westward of the British Isles they only reached land in Bantry Bay on the west coast of Ireland, December 2d, after the wind had changed. This wild coast was a welcome place of refreshment to the suffering crew. Cumberland made every effort to secure them good fare and attendance, and they watched with delight how from the mountains "came running downe the pleasant streames of sweete fresh running water . . . whilest the Irish harpe sounded sweetely in our eares . . . and we had our lives, as it were, restored unto us againe." [1]

They sailed for England, December 20th, spent a stormy Christmas off the southwest coast, and finally landed in Falmouth harbor on the last day of the year. Here they learned that the last and most valuable of their prizes had been wrecked off Cornwall and Captain Lister with most of the crew drowned. The other prizes, however, to the number of twelve, seem to have reached England safely and their value was double the expense of the undertaking. The voyage as a whole, therefore, notwithstanding its lost opportunities, failures and sufferings must be considered one of the most successful, as it was one of the most representative of the voyages of attack upon the commerce and outlying possessions of Spain.[2]

While Cumberland had been seeking the West Indian ships in the Azores, another fleet of four vessels had been fitted out and despatched under Sir Martin Frobisher to the coast of Spain on the chance of intercepting them later in their

[1] Wright, in Hakluyt, vii, 21–7.

[2] Purchas, *His Pilgrimes*, xvi, 12; Oppenheim, *Monson's Naval Tracts*, i, 236–7.

course. This was a more purely government fleet, consisting of three of the queen's ships and one belonging to Sir John Hawkins, treasurer of the navy, its commander being in the regular service of the queen. They sailed in September and made their way directly to Cape St. Vincent. There after taking one prize from the harbor of Sagres, they met that part of the fleet which Cumberland had been obliged so reluctantly to leave in the harbor of Terceira and one of whose ships he had captured since. The misfortunes of this Spanish squadron still pursued it, for several of its ships seem to have fallen now into Frobisher's hands just before they reached their home ports. The number captured is uncertain, for they were all wrecked on their way to England except two, the value of which was £15,000, to set off against the £11,320 which the expedition cost the queen. Frobisher was back in November, a month before the return of Cumberland.[1]

This was a busy year on the sea for England. In addition to the Portugal voyage and the two expeditions that have just been described, during most of the year there were four or five vessels of the royal navy keeping guard in the Channel, others were sent to convoy troop ships to France and merchant ships to the Netherlands and the Baltic, and there were numerous privateers going on their own adventures. An example of these may be found in the voyage of the "ship called the Dogge," fitted out by William Michelson and William Mace of Ratcliffe, which sailed directly to the Gulf of Mexico and there captured three Spanish prizes and had many adventures. These Hakluyt learned of through private letters received from Plymouth, whither the "Dogge" had returned in September, just in time to find a place in the "Voyages," which was published in November. An English ship was also in the Azores shortly after the departure of Cumberland, and after a hard fight captured two Spanish ships just off the harbor of Terceira. It was a matter of common report that

[1] *State Papers, Dom., Elizabeth*, ccxxxiv, 75; Oppenheim, *Monson's Naval Tracts*, i, 238–9.

ninety-one Spanish prizes had been brought into England within the year 1589.[1]

The year 1590, on sea as on land, was a period of much less activity, at least on the part of the governments, than 1589 had been. The Spaniards were still suffering from the paralysis that had followed the defeat of the great Armada of 1588, and only really began late in this year their efforts for the rehabilitation of their navy. A plan to send out a great English fleet was it is true formed early in the year, but it was not carried out; and it was only late in the summer on a smaller scale and with slight hope of fruit that the navy was finally put to sea. Two complications interfered with early and vigorous action. One of these was the periodical fear of another Spanish invasion of England. In February and March we hear of active steps being taken by the privy council to organize a strong fleet, but it was for defensive not offensive purposes. An embargo was laid on shipping, sailors and fishermen were warned to be ready for service, armed vessels were ordered to be concentrated at Portsmouth, the Dutch were to be asked to contribute twenty-four ships to the joint fleet, according to the terms of the treaty, and provisions were ordered for ten thousand men for three months. But this alarm gradually subsided, few of the preparations were actually carried out, and by April little more was heard of any anticipated attack. Such accessions of panic seem to us now to have been quite unnecessary, since not only was Philip in no condition to invade England, but at the very same time an alarm of an English invasion was running through the Spanish and Portuguese ports. Nevertheless, the degree of unpreparedness of Spain could not have been so well known then in England as it is to us and constant reports of schemes of invasion were reaching the English ministers from their spies on the continent. Invasion is always possible, even from a power that is in no condition to follow up the attack, and rightly or wrongly Elizabeth and her council felt a constant necessity to guard the Channel against the en-

[1] Oppenheim, *Monson's Naval Tracts*, i, 238; Hakluyt, vii, 30, 69–70, x, 156.

trance of another Spanish Armada, while a dread of immediately impending invasion was a matter of frequently recurring excitement.

The second cause for the delay of the proposed naval expedition was the rumor of the transport of Spanish troops to Brittany to give aid to the League and to threaten the coasts of England from across the Channel. This danger was, as we have seen, a real one, and it would have been highly desirable to intercept these troops, if possible. But the negotiation between Philip and Mercœur was a slow one, two attempts to land troops in Brittany failed, and it was not until October that the transports with a convoying fleet finally sailed from Spain. Before that time the watchfulness of the English in that direction had flagged, and the fleet which had been planned so early in the year and agreed to by the queen had finally sailed. The fleet consisted of thirteen vessels, all of the royal navy, divided into two squadrons, one under Sir John Hawkins, the other under Frobisher, each including something over a thousand men. Both divisions got off in July and as usual some privateers joined themselves to each fleet as it reached the enemy's seas. Frobisher seems to have sailed directly to the Azores where during August and early September he hovered most of the time around Terceira and Corvo. Hawkins lay nearer to the shores of Spain. Neither of the fleets had any success. Frobisher made an attempt on Fayal, which Cumberland had captured the year before, but found it newly fortified and too strong for him. He captured a few small prizes among the islands, but saw nothing of either West Indiamen or carracks, and late in September made his way homeward, landing at Plymouth. Hawkins had been still less fortunate, seeing nothing of the larger game they were pursuing, and apparently capturing none of the smaller craft that often served as a partial consolation to the marauding fleets. He got back a month later than Frobisher, landing in Plymouth at the end of October.[1]

[1] Fernandez Duro, *Armada Española*, iii, 69, quoted in Oppenheim,

As a matter of fact, Philip, thoroughly alarmed by the captures of the last year and the narrow margin by which the treasure ships had succeeded in avoiding the English fleets, had adopted the desperate expedient of sending orders to the West Indies to hold the fleet there until the next year. This would, it is true, cause a deterioration of the ships, make it impossible for him to equip his other fleets properly, pay his troops in the Netherlands and France, and keep down his constantly accumulating debts. It would, in all probability, as indeed proved to be the case, cause many failures of business houses in Seville and elsewhere in the Spanish dominions. But all these losses and difficulties seemed better than the almost inevitable capture of his ships and the consequent enrichment of the English enemies. No treasure vessels and but few merchant ships therefore reached Europe till the spring of 1591. The carracks from the East Indies did not stop, as usual, at the Azores, and somehow slipped by Hawkins, making their way safely into San Lucar and Lisbon. A comparatively strong Spanish fleet was equipped and was sent out toward the Azores as a convoy to these, but was driven back by bad weather. Even if it had reached the Islands, however, it would have missed Frobisher, who had already returned.[1]

Although the two admirals had taken few prizes they had stretched the principles of contraband far, sending into port many vessels belonging to neutrals which they claimed were carrying Spanish goods or war material for Spain. The admiralty court was filled with contested cases and the government troubled with bitter protests from the Netherlands, Denmark and the Hanse towns. The privateers also contributed largely to the toll of injury to Spain during this year. Linschoten, a Dutchman spending the summer in the Azores, states from his own observation that "we could see nothing else but

Monson's Naval Tracts, i, 245; Carné, *Correspondance du duc de Mercœur . . . avec l'Espagne*, vol. i, xxiii–xxiv; *State Papers, Dom. Elizabeth*, ccxxxiii, 118.

[1] *Monson's Naval Tracts*, Navy Records Society, i, 241; Duro, *Armada Española*, ii, 485–6, quoted in Oppenheim, i, 251; Hakluyt, vii, 76.

spoiled men set on shore, some out of one ship, some out of another, that pity it was to see all of them cursing the Englishmen and their own fortunes, with those that had been the causes to provoke the Englishmen to fight, and complaining of the small remedy and order taken therein by the king of Spain's officers." Elsewhere he declares that "the sea was full of English ships." Spanish colonial officers in the West Indies whose letters were intercepted by English privateers complained that "the Englishmen would come and beard us to the haven's mouth," and a private letter from Panama declared that "all this countrey is in such extreme feare of the Englishmen our enemies that the like was never seene or heard of, for on seeing a saile presently here are alarmes in all the countrey." It is no wonder that we hear even from foreign sources that the English "are become lords and masters of the sea, and need care for no man." [1] It is in this lordship of the sea, even though temporary, that the most important influence of the naval expeditions and privateering operations of the time is to be found, rather than in the mere number and value of the vessels captured, or in the degree to which the voyages were pecuniarily profitable. It checked and discouraged any enterprises of Spain that might need to be carried on by sea, injured her commerce by delay as well as loss, and gave opportunity for the adoption of a vigorous policy that would doubtless have forced still deeper humiliation and still greater loss upon her, now at the time of her greatest weakness, depriving her of time and ability to reorganize her fleets and fortify more securely her outlying settlements. However inadequately this opportunity was utilized the loss to her commerce, her navy and her exchequer by the long postponement of the sailing of the West Indian fleet and the practical embargo placed on her commerce was a substantial weakening of her power.

The year 1591 saw an earlier commencement of operations. Before the end of January preparations were in progress for a part of the navy to be sent to the Azores, and some-

[1] Hakluyt, vii, 74, 76, 77, x, 162, 178.

what later Cumberland began the equipment of a fleet to which the queen contributed her newly built ship the Garland, to go to the coast of Spain. Both fleets were looking for the West Indian fleet of 1590 whose summons home could not be much longer delayed. If it should be missed and other prizes not numerous a raid was suggested on the Biscayan and French vessels on their way home from the Newfoundland fisheries. Drake was still out of favor, Hawkins and Frobisher had not succeeded well in the previous year, so the queen's fleet was placed under the command of Sir Thomas Howard, cousin of the lord admiral and an experienced and able commander. For a while it was planned that Admiral Howard himself should sail at the same time to the coast of Brittany. Attempts were also made to induce the Dutch estates to send a squadron to the Azores, golden promises of the amount of booty to be divided being freely made to them.[1] Howard got off from Plymouth in April and Cumberland in May, each making for his appointed station, delayed only, as usual, by a few captures of Leaguer ships and the seizure of some contraband from the holds of Hanse and Dutch merchantmen. In June, news having reached England that the West Indian fleet would sail for home with a strong convoy, two more royal ships with some victuallers were sent to reinforce Howard in the Azores, and shortly afterward a Captain Flick was sent after them with six of the largest merchantmen of London suitably armed for the same service. Notwithstanding this preparation no conspicuous service was performed by either of these fleets, and they are only notable for the dramatic incident of the loss of the Revenge, the first and only instance of capture by the Spaniards during the whole war of a vessel of the English royal navy sailing at the time under the queen's commission.

Philip had made every effort to secure the safe voyage of the West Indian fleet. He had delayed sending orders for its return until July, by which time he had succeeded in

[1] *Cal. State Papers, Dom.*, 1591–4, 6, 9, 11, 15, 21, 36–7, 56; *Acts of the Privy Council*, xxi, 140, 184, 186.

preparing a strong war fleet to meet it at the Azores and give it protection against the anticipated English attack. The Spanish spy system was very good and the king was seldom without knowledge of the details of expeditions being prepared in England against him. The slow preparations of the last two years were beginning to tell in his possession of a fleet which was really available, except when its delays made it ineffective, or its insufficient equipment made it useless. Now, however, a great fleet of fifty-five ships, under Don Alonso de Bazan, sailed from Ferrol in Spain early in August hoping to take Howard by surprise in the Azores. But it was sighted by an outlying vessel of Cumberland's squadron, and Captain Middleton was sent immediately in a swift sailing little vessel, the Moonshine, to give warning to Howard.[1]

He reached him just in time. On the 31st of August the English fleet was lying at anchor off Flores taking in fresh supplies from the victualling ships that had been sent from home and securing some refreshment ashore for the sick who were by this time so numerous in its crews. A fight meant destruction, and no man dared face the queen after the loss of one of her ships if its loss could have been possibly avoided. The disparity of the two forces was overwhelming. The total English fleet conisted of seven men-of-war and six merchantmen, four of them very small. The object of the expedition was prize taking, not battle, and the reinforcing ships under Captain Flick had not yet arrived. The approaching Spaniards numbered, as has been said, fifty-five. There was nothing therefore for the English admiral but flight. He sent swift orders by boats to each of his ships to weigh anchor or slip their cables and make the best of their way to the windward of the Spanish fleet which was already in sight.

All obeyed and got successfully to the open sea except the vice-admiral, Sir Richard Grenville, in the Revenge. Whether

[1] *Monson's Tracts*, i, 253–4; *Gawdy MSS.*, *Hist. MSS. Reports*, vii, 521; *Acts of the Privy Council*, xxi, 302, 470.

because he was too unfavorably stationed or waited to take sick men aboard from the shore or deliberately disobeyed orders, refusing to believe that the approaching fleet consisted of war vessels, or from a sheer spirit of bravado, the result was that he was surrounded by the Spanish fleet before he got away, and began the famous "last fight of the Revenge," the theme of contemporary and modern song and story. The fifteen hours of fighting, from three o'clock in the afternoon till the next day dawned, the succession of great galleons and Biscayans and hulks that surrounded and attempted to board the English ship, the stubborn resistance and hot defiance, until the last barrel of powder was spent, pikes were all broken, masts overboard, tackling cut, forty men dead and the commander and most of the others wounded, reached their culmination in the determination of Grenville and the master gunner to sink the ship with all on board, a plan which was frustrated only by a hasty agreement to surrender made between a less determined element in the crew and the Spanish admiral. Grenville died on a Spanish ship two days after the battle. It seems impossible from contemporary evidence to judge of his motives. Then as in modern times he was blamed by some, praised by others, and used alternately as an example of high bravery and self-devotion, and as a warning against the ill effects of recklessness and disobedience of orders. But purposeless as such a sacrifice was from a mere military point of view, the story of the fierce unyielding contest, told in the vigorous and eloquent language of Ralegh, breathing the national hatred and defiance of Spain, and described in various forms of literature by other writers, may well have exercised as much influence as any victory of the war, both on its own and on subsequent times.[1]

The fleet of Howard seems to have hung around the flanks of the Spanish armada, making such attacks and diversions as were possible without bringing on a general engagement

[1] Arber, *Last Fight of the Revenge;* Ralegh, in Hakluyt, vii, 38–52; Linschoten, *Ibid.*, vii, 80–83; Gervase Markham, *The Tragedy of Sir Richard Grinvill;* etc.

till nightfall, then to have sailed off and made the best of its way homeward, burdened with sick crews and balked of its main object. The failure was all the more grievous since the vessels of the West Indian fleet began to arrive in squadrons and singly only two days after the English fleet had been driven to retreat. De Bazan had soon gathered more than a hundred vessels under his convoy and sailed for Spain. But the ill fortune which had delayed the Spanish ships in the harbors of the West Indies over winter and had wrecked so many of them in the earlier part of their voyage this year still continued. Early in September, while they were still in the Azores, a tempest drove seventeen of the vessels, the captured Revenge among them, on the shore of Terceira, wrecked many on other islands, with the loss of several thousand lives; and less than half the fleet, apparently, finally reached Seville.

Nor did the privateering voyages of the English show much greater success. Cumberland, after the seizure of a few prizes, most of which were either recaptured or sank on the way to England, left the coast of Spain and reached home about the same time as Howard. This was the year also of the fruitless privateering expedition of a fleet of Sir George Carey to the West Indies, and of the third and final voyage of Cavendish to the Pacific, the privations and sufferings of which were probably beyond any other sea experiences even of that age of risk and sacrifice.[1]

The year 1592 was marked by the capture of one of the few very valuable prizes taken from the Spaniards during the war, that of the great carrack Madre de Dios. The central expedition of the year and the one which performed this service was a fleet consisting of two of the queen's ships and about a dozen armed merchantmen. The whole expedition was organized and equipped at the expense of Sir Walter Ralegh, some of his friends and the city government of London, except for the loan by the queen of the two ships and a contribution of £3000, much of which was

[1] Purchas, xvi, 13; Hakluyt, x, 178–183, 389–416.

expended in fitting them. It was originally intended that Ralegh should command the fleet in person and that its operations should be in the West Indies; but long delays due to bad weather, the queen's opposition, and news that Philip had again this year given orders to hold the fleet in port in the West Indies narrowed its plans. The more distant voyage was abandoned and Ralegh returned before the fleet left the Channel, his place of command being taken by Sir Martin Frobisher. Some of the captains considered themselves freed from their contract by Ralegh's withdrawal, followed largely their own devices and found leadership rather in Sir John Borough who was sent with some of the ships to the Azores than in Frobisher who lay most of the summer with the others off the coast of Spain. A Spanish fleet, as had become usual now each summer, was on the sea nominally seeking to meet and destroy the English fleet and then to go to the Azores to convoy shipping homeward. But it lay on the Spanish coast too long and came too late to the Islands to interfere with the success of the English fleet.

Some privateers sent out by Cumberland joined in consortship with Borough in the Islands, as did two other English vessels on their way home from a privateering voyage to the Gulf of Mexico. A fleet of some ten or more vessels therefore lay on the last days of July before the harbor of Flores just where Lord Thomas Howard and Grenville had been at about the same time the previous summer. There was no hope now of the West Indian fleet, but Borough was able to obtain from the inhabitants news that one of a fleet of carracks from the East Indies had just passed on her way to Portugal, and that four more were daily expected. One of these, the Santa Cruz, now appeared, but on being chased by the English fleet, chose rather to run herself on the beach and to set fire to hull and cargo than to be captured. Borough set a body of men ashore who pursued and captured some of the men of the Santa Cruz and obtained from them under threat of torture such details as they could give of the carracks still to come. In accordance with this information the Eng-

lish ships stretched themselves out in a long line to the west of Flores and in a few days were rewarded by the appearance of the Madre de Dios, one of the largest ships then afloat, of 1600 tons burden, and loaded with a rich cargo of East Indian goods. At eleven o'clock on August 3rd the fight began and by midnight she was in the hands of the English, her crew having made a stout resistance to the five ships that had taken part in the boarding operations against her.

Four hundred negroes who were aboard her were set ashore at Flores and Corvo, her captain, passengers and crew, of whom there were over 600, placed on one of the small English merchantmen, sufficiently victualled and left to their own devices, and in wholesome fear of the arrival of the Spanish fleet, overjoyed with their rich prize the English started directly for home. The carrack was brought safely to Dartmouth and the vessels of the fleet arrived in various home ports early in September.[1] The distribution of the plunder was almost as difficult a problem as the capture of the ship. The sailors had made a prompt contribution toward its solution during the first night and succeeding day by wholesale plundering, and more than once the ship was in danger of being burned by fires from the candles of the sailors rummaging in her cabins and holds. Stories were long told of hundreds and thousands of diamonds and rubies, chains of gold, and strings of pearls found by sailors and stored away in their chests. Attempts made by Borough and other captains to restrain this wild orgy of pillage were met by defiant half-mutinous disobedience to orders, especially by the sailors from Cumberland's ships. But officers as well as seamen are said to have made use of the early confusion to gather rich plunder. Captain Cross was charged with having £10,000 worth of plunder, and acknowledged having secured valuable articles worth £2000. Captain Cock was declared to have secured £2000 worth, and another officer bought eighteen hundred diamonds and two

[1] Hakluyt, vii, 105–115.

hundred rubies from a common seaman for £130. Still another was said to have "half a peck" of pearls.[1]

This early pillage was doubtless largely from the cabins and chests of the officers and passengers on the rich East Indiaman, though in the cargo itself were precious stones, ambergris, musk, silks and other articles scarcely less valuable and portable. We hear of mother-of-pearl, porcelain dishes, nutmegs, raw silk, and various other such commodities taken later out of the carrack before she reached harbor. In fact the whole lading of the ship is a catalogue of the most precious wares known in the sixteenth century, the wares which made Lisbon one of the richest markets of the world. She contained, according to official report, cinnamon, cloves, pepper and other spices, cochineal, ebony and other fine woods, silks, calicoes, carpets and rugs, dyes, drugs, camphor, ivory, china-ware and a vast variety of such eastern products, to a burden of 900 tons weight.[2]

News of the great prize reached England ahead of her and a concourse of merchants and dealers of all kinds hastened to the coast, not only to Dartmouth to meet the Madre de Dios, but to each port where any of the vessels which had taken part in her capture and pillage had landed. Plymouth, Portsmouth and even Harwich on the far eastern coast became markets for goods from the Indies. Indeed, the more remote the port the greater the opportunity to dispose of plunder before it was looked into too narrowly by the queen's officers. Some rich merchandise was landed surreptitiously on the Isle of Wight. The scene at Portsmouth reminded onlookers of Bartholomew fair. The plunder thus taken and disposed of unwarrantably was estimated variously at amounts from a quarter to three-quarters of the cargo, and from £20,000 to £100,000 in value. That which actually came into the hands of the officers of the government was unloaded from the carrack at Dartmouth, loaded again into

[1] *Cal. State Papers, Dom.*, 1591–4, 272–3, 303, 309.

[2] *Cal. Hatfield House MSS.*, iv, 231–4; *Cal. State Papers, Dom.*, 1591–4, 328.

ten small vessels hired for the purpose, taken to London and regularly appraised at Leadenhall market. Its value was placed at £141,200.[1]

There was no lack of effort on the part of the queen and the council to regain the plunder and to prevent spoil. Commissioners were sent down from London to meet the prize and stringent orders were issued to port officers for search of chests, sworn inquiries and actions to recover goods stolen. But the sailors were still defiant, regardless of their oaths, elusive and ingenious, and they found plenty of abettors on shore. Drake and Robert Cecil were among the commissioners sent to Dartmouth but had much trouble with the turbulent mariners. There was one man whose influence with them was known to be greater than that of anyone else. This was Ralegh, the original organizer of the expedition. He was however just now in the Tower in disgrace with the queen on account of his clandestine and defiant marriage with Elizabeth Throckmorton. It was only with considerable difficulty that the queen could be induced by her advisers to grant him temporary release to go down to the coast in charge of his jailers to quiet the sailors and make easier the task of division of the spoil. Cecil, who was not likely to exaggerate in the case, describes the scene at his arrival. "All the mariners came to him with such shouts and joy as I never saw a man more troubled to quiet them in my life."[2]

The sailors were finally pacified and paid off, most of them receiving their wages and twenty shillings apiece as their share of the plunder, beyond what they may have individually purloined. The question then came up as to the respective shares of the greater investors. Elizabeth was inclined to consider herself at the end of the voyage in the position of queen, rather than investor, as at its beginning, and one of the smallest investors, and to confiscate the whole prize. At least she would have made specific repayments of specific

[1] Oppenheim, *Monson's Tracts*, i, 290–3; Hakluyt, vii, 119; *Cal. Hatfield House MSS.*, iv, 226, 234–40.

[2] Cecil to Heneage, Sept. 21, 1592, *Cal. State Papers, Dom.*, 1591–4, 273.

sums of money contributed toward the expenses of the fleet by outside investors, like the city of London, and then simply distribute gifts from the proceeds to such as she should choose. The opportunity for such a policy was a good one. The fact that Ralegh, from whose funds the fleet was principally equipped, was just then in the queen's ill graces made him a poor claimant, and in fact all his property was held for the time on sufferance. Cumberland's claim was weakened by the lateness of the arrival of his ships on the scene and the informality of the terms of his consortship with Borough. As to the latter and the other officers and men to whose abilities, efforts and sacrifices the success was really due, they could look for little but the usual Elizabethan neglect and disregard for plain merit. The queen however was warned both by her advisers and some of the participants that if she dealt thus narrowly with those who had adventured their means and their lives in the naval war she might in future have to wage it from the funds of the treasury alone, and with such mariners only as could be pressed into the service. She yielded therefore somewhat to the demands of the various claimants. Cumberland was dealt with most liberally, receiving £37,000 for his investment of £19,000. The citizens of London received £12,000 in return for their payment of £6000 toward the expenses of the fleet. Hawkins, whose ship the Dainty was one of the most active participants in the capture, received £7000 or £8000. Ralegh and those who had invested through him seem to have received a net return of £24,000 for the £28,000 which they had expended, the original organizers of the fleet being therefore the only actual losers. The queen, whose subscription had been £3000, in addition to the loan of the two ships of the royal navy, took the remainder, which was variously estimated at amounts from £60,000 to £90,000.

The spices, silks, drugs and other rich lading of this vessel, like the cargo of the St. Philip in 1587, were credited by contemporary annalists with turning the attention of English merchants to the treasury of eastern trade and having ex-

erted a substantial influence on the ultimate establishment of the East India Company. The writer of the "True Report" of this voyage, published in Hakluyt, says, "And here I cannot but enter into the consideration and acknowledgement of God's great favor towards our nation, who by putting this purchase into our hands hath manifestly discovered those secret trades and Indian riches, which hitherto lay strangely hidden, and cunningly concealed from us; whereof there was among some few of us some small and imperfect glimpse only, which now is turned into the broad light of full and perfect knowledge. Whereby it should seem that the will of God for our good is, if our weakness could apprehend it, to have us communicate with them in these East Indian treasures."[1] As will be remembered, however, it was still eight years before this trade with the East Indies was inaugurated and the more immediate influence of the capture of the Madre de Dios is probably to be found in the increase of privateering. A few months afterwards the Venetian ambassador wrote that there were fifty English privateers in Spanish waters. The indefatigable Cumberland was in the Azores with a fleet including two of the queen's ships in the summer of 1593, and sent out another, although he did not accompany it personally, in 1594.

Yet the main body of the royal navy through these years was lying idly in harbor. Whether it was because she was so deeply interested in the land operations in France and the Netherlands, or because she believed that the work of injury to Spanish commerce was being sufficiently well done at private expense, or from her habitual dread of an invasion from Spain, or simply from disinclination to a bold policy, the queen could not be induced during these two years and well into the year 1595 to send out another fleet. It was from no lack of funds, for in February, 1593, parliament made a liberal grant and expressed its desire for a vigorous prosecution of the war.[2] In December, 1594, however, the queen's con-

[1] Hakluyt, vii, 105–118.

[2] *D'Ewes' Journals*, 477; *Cal. State Papers, Dom.*, 1595–7, 67.

sent was obtained for the equipment of a fleet of considerable proportions and ambitious designs. It was to consist of six ships of the royal navy and a contingent of some twenty hired merchant ships. It was to be provided with heavy ordnance and abundant supplies and to sail under the joint command of Sir John Hawkins and Sir Francis Drake, one the most experienced, the other reputed the most vigorous of English naval commanders. It was also to carry a body of soldiers for land operations under the command of Sir Thomas Baskerville, an officer trained in the Netherlands and in the wars in France. Its destination was the West Indies, where it would seek the treasure fleet of the king earlier in its voyage than the usual search at the Azores, and then by crossing the isthmus of Panama "invade him in that kingdome from whence hee hath feathers to flye to the toppe of his high desires." [1]

During the early months of 1595, while the fleet was in preparation, there was more than one period of uncertainty as to whether it should sail at all. At one time it was proposed that the project be given up in favor of a land and sea attack on Spain itself. There was much privateering; Cumberland was given a commission, Cross was sent with two of the queen's ships to the coast of Portugal, and there were many individual adventurers at sea. Ralegh was also allowed to equip and take out of England a half-privateering, half-exploring expedition to the mainland of South America. He plundered and destroyed the Spanish settlement on the island of Trinidad, then carried on, with more interest to himself and to later generations, a series of explorations along the Orinoco river. Partly in search of a gold mine reported to exist in the interior of Guiana, partly seeking a location for an English settlement, he visited and entered into friendly relations with several tribes of Indians and established the tradition of English connection with that

[1] *Cal. State Papers, Dom.*, 1591–4, 566; Thos. Maynarde, *Sir Francis Drake, His Voyage, 1595*, Hakluyt Society, 3, 4; Oppenheim, *Monson's Tracts*, i, 315–19.

region which he himself later followed up, and which has become the basis of England's only South American colony. These voyages of the early summer of 1595 might be considered partially to reach the ends for which the larger expedition was being equipped and to justify the queen's reluctance to approve its expense and distant destination.[1]

A still more disconcerting interference with the plans of Drake and Hawkins was the occurrence in July of the only actual Spanish invasion from which England suffered during the war. It will be remembered that the Spanish troops in Brittany, after the failure at Crozon in November, 1594, on bad terms with the estates of the province and with the duke of Mercœur, reduced to small numbers and without support from home, were reduced to inaction and practical insignificance in their one port town of Blavet. Under these circumstances their commander bethought himself of a possible form of activity, — a sudden raid on some part of the coast of England. To this plan, after some delay, he obtained Philip's consent. He had four galleys and a few small sailing vessels, and these with about 600 men he sent out under Amerola, his naval commander, in July. They stopped in Normandy, seized supplies from one of the Huguenot ports and made their way immediately to the coast of Cornwall. A letter of warning had been sent to England, but it did not reach there in time, and when the Spaniards landed at the little town of Mousehole, July 23rd, 1595, the inhabitants were entirely taken by surprise and promptly ran away. Mousehole, Newlyn and Penzance, all small towns on the coast, were successively burned, a thanksgiving service was held by the Spaniards on the western hill at Penzance and plans *laid* to build a new Battle Abbey there when the battle should be fought that would give England to Spain; then the invaders withdrew before the gathering county forces reached them, or the ships sent by Drake and Hawkins from Plymouth could

[1] *Cal. State Papers, Dom.*, 1591–4, 567–8, 1595–7, 21, 34, 67; Collins, *Sidney Papers*, i, 343; Oppenheim, i, 340–3; Ralegh, *Discovery of Guiana*.

cut off their retreat. The report of this foray gained volume as it crossed England until when it reached the court at Greenwich it took the form of a Spanish fleet of fifty ships, four galleasses and eight galleys, and naturally created great excitement.[1] But more accurate news soon came, such a petty harrying of the coast, however vexatious to the pride of England, could not be taken very seriously, and it soon gave way to the more deep-seated dread of an invasion in force from Spain, now made seemingly more probable by the rising of Tyrone in Ireland.

Two other pieces of news affecting the expedition reached England about this time. One was the report that this year's treasure fleet had arrived in Spain in May, the other that the principal vessel of that fleet had been forced by injuries at sea to take refuge at Porto Rico, where she had unloaded her cargo of some £600,000 in specie and stored it in the citadel at San Juan. Here was booty worth winning, if the English could capture that city. It is true that Philip was sending five frigates out to bring the treasure home; but the English fleet, which was now ready, might well reach the island ahead of them. Porto Rico lay on the direct route to Panama and both the queen and the admirals immediately decided that its capture should be the first great object of the voyage. The fleet sailed from Plymouth August 28th, 1595, the queen insisting that they should sail by way of the south coast of Ireland and the coast of Spain to look for any Spanish war fleet that might have already put to sea, and that they must be back by May of 1596 to help defend England in case she were attacked by Spain in the summer of that year.

Notwithstanding the good equipment, famous leadership and great promise of this expedition it was marked by most of the weaknesses and more than a fair share of the misfortunes of Elizabethan naval ventures. There was dissension from the very beginning between the two admirals, whose

[1] Fernandez Duro, *Armada Española*, iii, 92, quoted in Oppenheim, i, 322–3. *Cal. State Papers, Dom.*, 1595–7, 77, 79, 80; Birch, *Bacon Papers*, i, 269.

position, by the queen's commission, was coördinate; they yielded to the temptation to make an almost purposeless and entirely fruitless attack on Las Palmas in the Canaries, and to stay overhauling their boats on the first of the West Indian islands at which they touched; they took little care to keep secret the objective of their attack, so that news of their coming reached Porto Rico and the other Spanish settlements long before they did and all the advantages of surprise were lost. Three contemporary narratives remain to us, one by Maynarde, an officer of one of the military companies on board, one by Troughton, captain of one of the queen's ships, and one by an anonymous annalist preserved by Hakluyt.[1] Division of counsels, uncertainty of movements, improvidence and preference for plunder rather than conquest contend in these narratives with the essential boldness, good seamanship, inexhaustible enterprise and perpetual defiance of the Spaniards which marked every English sea expedition during Elizabeth's reign. The chronicle of their misfortunes can be briefly given. Las Palmas was attempted from both the sea and the shore, but was so strongly defended or so half-heartedly assaulted that the English had to retire. A still greater misfortune attended this ill-judged attack. A little party, including one of the captains and one of the ships' doctors, was captured as it straggled from the main body on another part of the island; some of its members were killed and the others forced to tell the plans of the voyage. A swift Spanish despatch boat with this information was quickly sent by the captors to Porto Rico. After the fleet had crossed the ocean a partly disabled vessel of the English squadron falling behind the rest was captured by the Spanish frigates on their way over, her instructions obtained, the main English fleet sighted and thus a second body of information concerning the coming of the invaders obtained. The time from October 29th to November 12th was spent among the Leeward islands refitting and watering. Here Hawkins,

[1] *Sir Francis Drake, His Voyage, 1595*, Hakluyt Society, Vol. iv.; *State Papers, Dom., Elizabeth*, cclvii, 48; Hakluyt, x, 226–245.

already beyond sixty years of age, a late period of life in the sixteenth century, continually fretted by the disputes with his fellow-admiral, and recognizing that delay had already made success improbable, resentful of general criticism in the fleet of some of his plans and dreading the keener resentment of the queen if their plans should fail, after a week's sickness died just as the fleet approached Porto Rico.[1]

The news of the coming of the English fleet seems to have reached the Spaniards at San Juan October 28th, so they had just two weeks in which to strengthen their defences and prepare for the attack. They used this time to such good purpose that when Drake's fleet reached San Juan it was able neither to capture the fort that contained the treasure nor to cut out the frigates from the harbor. It is possible that here, as at the Canaries, their efforts were not so strenuous as they would have been if they had not had the enterprise against Panama still ahead of them. The Spaniards themselves, after the English had burnt one of the frigates, sank all other available shipping in the mouth of the harbor to protect themselves against the entrance of the enemies' ships. This was the only loss caused in Porto Rico and the English fleet sailed away, its retreat embittered by the knowledge that if it had arrived two weeks earlier it would have found the city practically defenceless and would in all probability have been able to capture the whole treasure lying in the citadel. Certainly fortune seems to have been only less hard upon the English than upon the Spaniards.[2]

In November and December the fleet skirted the Spanish Main, ravaging and burning the settlements at Rio de la Hacha and Santa Marta and the pearl fishery at La Rancheria but obtaining no plunder except some pearls at La Rancheria. The inhabitants had received warning and carried their valuables away to the interior, while Cartagena had

[1] Maynarde, 8, 9; *Troughton's Journal.*

[2] *Spanish Account of the Proceedings at Porto Rico*, Hakluyt Society, Vol. iv, 47–63.

been made so strong that the English fleet did not venture to attempt it. There had been a great change since Drake was first on the coast twenty-seven years before and even since his raid of 1585. Great efforts had been made by the Spaniards to fortify their principal towns, and a system of despatch boats carried information forward so rapidly as to make surprise almost impossible. They found Nombre de Dios, where the troops for the journey across the isthmus were to be disembarked, practically deserted of its inhabitants and bare of profitable plunder. There was little therefore for Drake to do except as usual to burn the town, while Baskerville landed the 750 men now available and began his journey up the Chagres river toward Panama. Here below the hill-top from which the first Spaniard looked on the Pacific the little English army suddenly came upon a rude fort hurriedly erected by the Spanish commander and lost a score or more men. Weakened by the miseries of a trail famous as one of the most difficult and unhealthy in the world until modern engineering and sanitation transformed nature, and discouraged by reports of further defences on the road to Panama, Baskerville turned back to Nombre de Dios, thus abandoning the last of the original objects of the voyage. Drake was wellnigh desperate. He was at the end of the regions of his personal knowledge and of the tasks to which his abilities were especially suited. One who had been with Baskerville on the march and retreat testified of the admiral, "since our returne from Panama he never carried mirth nor joy in his face." He seemed without definite plans, though he carried a bold front before his followers and his personality still imposed itself upon them. It seemed to make little difference to him where the fleet directed its course. After a meeting of the council of officers they sailed northward, planning a march inland and an attack on a group of small towns with great names, Leon, Granada, and others, lying on Lake Nicaragua. Then they lay for a week at the unhealthy island of Escudo. Finally they returned eastward with a vague plan of attempting a march upon Panama by another route. Drake was probably

hoping for the appearance of some valuable prize, or merely procrastinating the time until the inevitable decision must be made to return to the queen with the acknowledgment of failure. Men sickened and died. At Escudo Drake himself fell sick of the prevalent dysentery, and on January 28, 1596, just as his fleet entered the harbor of Portobello died in delirium. The next day his body was carried a league from the harbor's mouth, and there solemnly committed to the sea on which so much of his life had been spent, and where his great fame had been obtained.[1]

Baskerville now produced the commission which made him commander in case of the death of the two admirals, and, holding the fleet together with some difficulty, at the universal desire turned in the direction of England. He had to look forward to meeting the Spanish fleet which had been prepared to follow up Hawkins and Drake, but which, as usual, was so late that it only reached the West Indies late in February, 1596, after both the admirals were dead and the English fleet had failed of its purpose from other causes. Avellaneda, however, its commander, had strict orders from the king to fight the English fleet wherever he found it, and he was now hastening from Cartagena to the Yucatan channel to intercept it as it returned homeward. He met Baskerville near the Isle of Pines. The engagement was inconclusive, little loss being inflicted on either side and the sailing powers of the English ships apparently standing them in good stead in avoiding close quarters. If the object of the belated attack was to punish the English for their temerity in invading the Indies, it can hardly be said to have had success, for Baskerville's fleet reached England practically unscathed, and, failure as the expedition certainly was, it owed this failure not to the strength of the Spaniards but to its own misfortunes and mistakes.[2]

The account of the great contest may be suspended for the present at this point. Subsequently it took on a somewhat

[1] Maynarde, 16–20; Goodman, *Court of King James I*, i, 170.

[2] *Monson's Naval Tracts*, i, 314–15; Hakluyt, x, 242–265; Maynarde, 20–25.

different character. If the ten years of the naval war up to this time be considered it will be seen to have been far more destructive to Spain than either glorious or profitable to England. The continuous losses inflicted upon Spanish and Portuguese commerce by English privateers and the mixed fleets sent out by the queen, the interruption and delay in the arrival of the yearly fleet from the West Indies bearing the produce of the American mines, the obstacles thrown in the way of the import into Spain in neutral ships of the goods so much needed by her which were declared by England to be contraband, all had their part in that weakening process by which Spain was gradually sinking from her high estate. But the continual wonder is that England did not make the downfall more rapid and complete. The great Armada had been hopelessly ill-planned and ill-equipped, yet at no time afterward during the reign of Elizabeth was Philip on the whole as strong as in 1588. The tardiness and incompetence of the Spaniards in the organization of their fleets, their poverty in ready money, in sailors and in ship stores put them at the mercy of Elizabeth and gave England the practical control of the seas. Elizabeth had some thirty ships in her navy, twenty-two of them, in 1589, over 100 tons in burden. Yet she seldom had more than six or eight of them in service at any one time and frequently, except for a small guard in the Channel, they were all lying unused in harbor.[1] When expeditions could readily have been sent out strong enough to overwhelm opposition, to make invasion impossible and to cut off Spain from her American possessions, proposed voyages were delayed, the ships commissioned were few and equipment was scanted. As a result, success, except of the most moderate character, persistently eluded the English fleets. Elizabeth seemed devoted to a defensive, dilatory and self-supporting war when every opportunity and indication of the time was in favor of a vigorous offensive that would soon have compelled peace.

[1] Oppenheim, *The Administration of the Royal Navy*, i, 115, 119, *Monson's Naval Tracts*, ii, 235–6, iii, 326.

Nor were her commanders more successful in their actions than the queen in her policy. Much injury was, it may be repeated, inflicted upon Spain, and so the slow processes of a barbaric form of warfare were being carried forward. Few English ships, moreover, were lost in service, so that both the queen's navy and private shipping were being conserved. Nevertheless compared with what might to all appearance so readily have been accomplished, and compared with the high hopes with which many voyages were begun, commanders usually returned with chagrin and disappointment at what seemed to them and seems to us relative failure. The causes for this, in addition to the halting policy of the queen, are, at least to some degree, plainly visible. Naval policy was still in its infancy. The English fleets were operating at a greater distance from their home ports than had ever been done before. Nor must the conditions of climate and food be disregarded. We are apt to underestimate the effect of primitive influences. Commanders and crews who left home full of enthusiasm and determination may readily have become quite a different cruising and fighting material, uncertain and mutinous, after having been subjected for weeks and months to torrid heat, bad water, insufficient and repulsive food, surrounded by diseased and dying men and living in the squalor of overcrowded ships. Disgust, disappointment and homesickness were doubtless as serious factors in the failure of many distant expeditions as the uncertain plans of the queen or the occasionally ill-judged actions of the commanders. Many failures were due also simply to bad weather and bad fortune.

In judging of the progress of the long, dragging naval conflict it must also be remembered that there had never yet been any formal declaration of war by either England or Spain. Each was committing acts of war against the other while neither had yet acknowledged a condition of war; a settlement of disputes, an accommodation of difficulties was possible at any time. Although this distinction may seem illusory, it will help to explain the failure of either Elizabeth

or Philip to make some great decisive effort that would compel a settlement. Certainly up to May, 1596, which marks the date of the return to England of the expedition which had proved fatal to Drake and Hawkins, and the middle point of the period covered by this work, there was no evidence of any culmination of the struggle or of any end to the war.

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